

Agenda Item 7b

Case Number	24/01876/REM (Formerly PP-13148514)
Application Type	Approval of Reserved Matters
Proposal	Erection of 92x dwellinghouses with a play area, provision of new footpaths and landscaping (Application to approve appearance, landscaping, layout and scale as reserved under planning permission no. 22/02303/OUT) (Amended Plans)
Location	Land between Hollin Busk Road, Broomfield Grove and Broomfield Lane Sheffield S36 2AQ
Date Received	25/06/2024
Team	North
Applicant/Agent	DLP Planning Limited
Recommendation	Res Mats Approved Conditionally Subject to Legal Agreement

Time Limit for Commencement of Development

Approved/Refused Plan(s)

1. 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:

Drawing 2404-SI-01F - Planning Layout - Broomfield Lane, Deepcar published 19/12/24

Drawing 2404-SI-02J - Site Layout - Broomfield Lane, Deepcar published 19/12/24

Drawing 2404 - SS-04A - Broomfield Lane Deepcar - Section Through Attenuation Basins and LEAP published 18/12/24

Drawing 2404-3D-01 - 3D Perspective- Broomfield Lane, Deepcar published 18/12/24

Drawing 2404-HT-01A House Type Booklet - Broomfield Lane, Stocksbridge

published 13/11/24

Drawing 2404-P34-01 - Deepcar - Plot 34 Plan and Section published 13/11/24

2404-RE-02 Design and Access Addendum - Broomfield Lane, Stocksbridge published 13/11/24

Biodiversity Net Gain Report (10311 Broomfield Lane BNG Report Rev A 19.12.24) published 20/12/24

Technical Note: Species Enhancement Plan (10311 Species Enhancements Plan) published 18/12/24

Drawing 10311-FPCR-XX-XX-DR-L-0002-0005 Detailed Planting Plan P07 incorporating: published 19/12/24

- GENERAL ARRANGEMENT & POS 10311-FPCR-XX-XX-DR-L-0001 P07 published 19/12/24

- DETAILED ONPLOT PLANTING PLAN (Sheet 1 of 3)

10311-FPCR-XX-XX-DR-L-0002 P07 published 19/12/24

- DETAILED ONPLOT PLANTING PLAN (Sheet 2 of 3)

10311-FPCR-XX-XX-DR-L-0003 P07 published 19/12/24

- DETAILED ONPLOT PLANTING PLAN (Sheet 3 of 3)

10311-FPCR-XX-XX-DR-L-0004 P07 published 19/12/24

BNG Calculator Output (Appendix A - 10311 Broomfield Lane Biodiversity Metric 3.1 19.12.24) published 20/12/24

24158-RLL-24-XX-RP-C-0001 Rev P02 Drainage Strategy Report published 14/11/24

Drawing 24158-RLL-24-XX-DR-C-200 P10 Drainage Strategy published 19/12/24

24158-RLL-24-XX-TN-C-0001 Rev P05 Technical Note published 19/12/24

- App A_24158-RLL-24-XX-HS-C-0001 - DRS Project Hazard & Risk Register published 22/11/24

- App B.2_24158-RLL-24-XX-DR-C-459- S104 Suds Maintenance Plan published 22/11/24

- App B.3_24158-RLL-24-XX-DR-C-454 P03- Basin Sections published 22/11/24

- App C.1_24158-RLL-24-XX-DR-C-209 P02 SW Catchment Plan published 22/11/24

- App C.2_24158-RLL-24-XX-DR-C-202 P05 Overland Flow Plan published 19/12/24

- App D_P24-158_SW Calcs Calculations published 22/11/24

- Under-Drained Swale 1 published 19/12/24

- Under-Drained Swale 2 published 19/12/24

- Under-Drained Swale 3 published 19/12/24

24158-RLL-24-XX-DR-C-201 205 Vehicle Tracking Refuse Vehicle [Rev P03]-A1 published 13/11/24

Reason: In order to define the permission.

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

2. No development (including all demolition and preparatory work) shall commence until full details of measures to protect retained trees, both on site and off site, have been submitted to and approved in writing by the Local Planning Authority. This shall take the form of an Arboricultural Method Statement (AMS) produced in accordance with BS5837:2012 (or its replacement) and will include:

- a) Sequencing of arboricultural works in relation to the approved development.
- b) Detailed tree felling and pruning schedule in accordance with BS3998:2010 (or its replacement).
- c) A scaled Tree Protection Plan (TPP) showing retained trees, fenced Construction Exclusion Zones (CEZs) with prohibited access and ground protection measures for root protection areas (RPAs) external to CEZs.
- d) The specification for protective fencing, ground protection and scaffolding within RPAs.
- e) Detailed methodology of any works required within Root Protection Areas (RPAs) including level changes, resurfacing, landscaping and boundary treatments.
- f) Details of the location of any underground services, utilities or drainage and methods of installation when located within RPAs.
- g) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels, waste, concrete mixing and use of fires.
- h) An auditable programme of site monitoring including a list of site visits for supervision and inspection to be reported to the Local Authority by a suitably qualified specialist. This will be proportionate to the scale of the development but as a minimum shall be a post-installation tree protection inspection and post-completion sign-off.

Protection measures shall be installed before any equipment, machinery or materials are brought onto site and shall remain in place until all works are completed. The development shall be implemented in strict accordance with the approved methodology.

Any trees designated for retention which are destroyed or die within five years from the date of implementation, shall be replaced in the same location as agreed in writing by the Local Planning Authority. Replacement planting shall be undertaken by the end of the next full planting season (1st November to 31st March).

Reason: In the interests of the visual amenities of the locality and to protect existing trees and hedges in accordance with Policy GE15 of the Unitary Development Plan. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

3. No development shall take place until a plan has been provided containing details of the existing site levels, proposed site levels, and proposed finished

floor levels for approval in writing by the local planning authority. The development shall thereafter be completed strictly in accordance with the approved levels.

Reason: In the interest of the amenity of occupiers of neighbouring dwellings as well as the visual amenity of the wider area. It is essential that this condition is complied with before any other works on site commence to ensure that the levels are appropriate.

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

4. No dwelling shall be occupied unless the car parking accommodation for that dwellinghouse as shown on the approved plans has been provided in accordance with those plans and thereafter such car parking accommodation shall be retained for the sole purpose intended.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

5. Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

Window and doors including reveal depths,
Eaves and verges,
External services and meter boxes,
Guttering and downpipes.

Thereafter, the works shall be carried out in accordance with the approved details.

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

6. In accordance with the Design and Access Addendum, details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

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

7. Prior to the construction of the new dry stone walling a sample panel shall be constructed on site to demonstrate the materials, coursing, jointing and coping for approval in writing by the Local Planning Authority. Once agreed, the wall shall be implemented in accordance with the sample panel and the panel should be retained on site for the duration of the construction for verification

purposes.

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

8. No dwelling shall be occupied until the boundary treatments for that plot have been provided in accordance with the approved plans. Thereafter the boundary treatments shall be retained.

Reason: In the interests of the amenities of the locality and occupiers of the proposed development.

9. Prior to installation, full details of any signage and safety equipment proposed for the SUDs basins shall be submitted to and approved in writing by the Local Planning Authority. The approved safety measures and signage shall thereafter be retained and maintained as per the approved details.

Reason: In the interest of the visual amenity of the site

10. The approved landscape works shall be implemented prior to the development being brought into use or within an alternative timescale to be first approved by the Local Planning Authority. Thereafter the landscaped areas shall be retained and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

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

11. Prior to the commencement of development (with the exclusion of demolition and preparatory work) full details of the proposed children's play area (LEAP) shall be submitted to the local planning authority for approval in writing. This shall include details of the surfacing, equipment and seating. The LEAP shall thereafter be provided and maintained in accordance with the approved plans.

Reason: To ensure an appropriate quality of development

Other Compliance Conditions

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the development shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: In the interests of the amenities of occupiers of adjoining property, bearing in mind the restricted size of some of the residential curtilages and to ensure that the architectural character of the development is retained and there is no visual intrusion which would be detrimental to the amenities of the

locality.

13. No means of enclosure either temporary or permanent, shall be erected around any of the SUDs basins shown on the approved plans without the prior written approval of the Local Planning Authority.

Reason: To ensure an appropriate quality of development as well as to secure maximum gains for biodiversity.

14. The Local Planning Authority shall be notified in writing when the landscape works are completed.

Reason: To ensure that the Local Planning Authority can confirm when the maintenance periods specified in associated conditions/condition have commenced.

Attention is Drawn to the Following Directives:

1. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
2. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from Environmental Protection Service, 5th Floor (North), Howden House, 1 Union Street, Sheffield, S1 2SH: Tel. (0114) 2734651, or by email at epsadmin@sheffield.gov.uk.
3. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677

Email: highways@sheffield.gov.uk

4. The applicant should be aware that a legal agreement has been completed in respect of this proposal.
5. 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/roads-pavements/apply-for-street-naming-and-numbering>

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.

6. The proposed development lies within an area that has been defined by the Mining Remediation (former Coal) Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries/policy-for-building-over-or-within-the-influencing-di>

stance-of-a-mine-entry

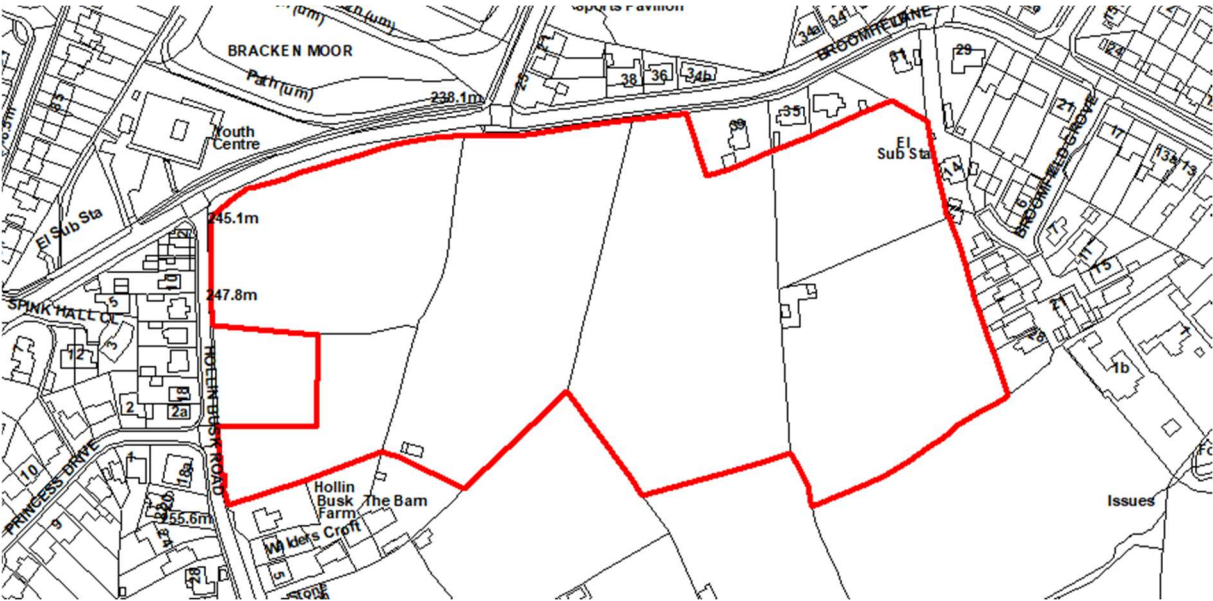
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Mining Remediation Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6848.

7. The applicant is advised that in this case 10% BNG is due to be secured by a combination of the requirements of condition 16 of the outline planning permission and the supplementary S106 Agreement that forms part of the recommendation to approve the reserved matters application. There shall be no requirement to submit a separate BNG plan under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

Site Location



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LOCATION

The application relates to a series of fields which extends to 4.84ha, located on the south eastern fringe of Stocksbridge. The site runs along Broomfield Lane to the junction with Hollin Busk Lane and is generally open. The fields are separated by low dry stone walls and have been used for grazing.

The land is elevated and slopes gently to the south, up from Broomfield Lane. To the north of the site (on the opposite side of Broomfield Lane) is Stocksbridge Cricket Club and additional playing fields. To the east are residential properties on Broomfield Lane and Broomfield Grove and to the south are further fields. Beyond these to the south east is a site which received outline planning permission (at appeal) for the erection of up to 85 houses with associated landscaping, car parking and open space. This development is in the process of being constructed by Stonebridge Homes and will provide 69 dwellings. To the west the site is bound by Hollin Busk Road with further residential properties on the opposite side of the highway.

The site is identified on the Sheffield Unitary Development Plan Proposals Map as being within an Open Space Area (OSA). This designation also covers the fields to the south of the site and extends to Fox Glen Wood to the south east of the site, which is designated as an Area of Natural History Interest (ANHI) and Local Wildlife Site (LWS). The site is not within the Green Belt.

PROPOSAL

Outline planning permission was granted (at appeal) for the erection of up to 92 dwellinghouses under application reference 22/02303/OUT. The outline permission did consider, and give full approval for the means of access, showing the proposed development to be served by two vehicular access points. One is taken from Hollin Busk Road and another access point is taken from Broomfield Lane.

All other matters (except the site access) were reserved for subsequent approval. The current application seeks approval for these reserved matters, these being the appearance, landscaping, layout and scale of the development. The principle of residential development on the site has been determined through the granting of the outline permission and is not for debate again here.

The proposed development is for a mixture of detached and semi-detached dwellings with a few terraced runs of three dwellings interspersed within the development. The properties would largely be two storeys with some properties having accommodation within the roof space. A pair of semi-detached bungalows are also proposed. The development would be largely for 3 and 4 bedroomed dwellings, with a couple of 2 bedroomed dwellings and 5 bedroomed dwellings included in the mix. 10% (9) of the dwellings would be 'affordable housing'.

Within the development areas of open space and landscaping, a children's play area and drainage attenuation basins are proposed. Where possible existing drystone walls are to be retained and incorporated into the development.

The site layout plans show the Hollin Busk Road access to serve 17 dwellings with the Broomfield Lane access serving the majority of the development (75 dwellings). As per the outline approval, the two vehicular accesses would not connect. Pedestrian routes through the site would interconnect.

RELEVANT PLANNING HISTORY

In 1990, outline planning permission was refused for residential development and the construction of new roads and sewers on 17.4 hectares of land (which included the current planning application site) at Carr Road, Hollin Busk Lane and Broomfield Lane (application no. 89/3037P refers). An appeal against this refusal was dismissed in August 1991.

To the south east of the site (and forming part of the Stonebridge Homes site mentioned above) planning permission was granted at appeal in August 2021 for the development of up to 85 dwellings on land at the junction of Carr Road and Hollin Busk Lane (application 17/04673/OUT refers). Following on from this, a reserved matters application for 69 dwellings has been approved and the development is currently being constructed by Stonebridge Homes (22/01978/REM and 24/00120/OUT also refer).

In January 2023 the Planning and Highways Committee considered two applications on the land that is the subject of this report. One was an outline application for the erection of up to 75 dwellings, which was granted planning permission (application 22/02302/OUT refers).

The other application, referenced 22/02303/OUT, was again in outline, for up to 92 dwellings. This was refused by the Committee but subsequently allowed by the Planning Inspectorate at appeal in February 2024 (appeal reference APP/J4423/W/23/3325851).

Both of the applications asked for the means of access to be considered with all other matters reserved.

Application 22/02303/OUT is the parent permission to the current application. This has established the principle of development on the site as well as the vehicular access points into the development site. A legal agreement (Section 106 agreement) was provided with the outline application to secure the provision of affordable housing, suitable drainage of the site including SUDs basins and open space including a children's play area. The legal agreement remains in force.

REPRESENTATIONS

The development has been publicised by way of an advertisement in the Sheffield Telegraph and site notices. In addition, 142 neighbour notifications letters have been sent.

19 representations were received. They all object strongly to the development and raise the following concerns:

Principle of Development

Previous applications on this site have been turned down. As the Council have previously refused development on this site they should do so again.

There are already substantial building plots under construction or recently developed in several key areas within the valley - Fox Valley Shopping Area, land adjacent to the traffic lights at Manchester Road in Deepcar, the land on the former Oughtibridge Mill site and more recently the building development on Hollin Busk Lane itself. All of these sites have planning permission for the construction of a significant number of houses.

This open land on the edge of the existing built-up area should be protected from development because it also potentially performs Green Belt functions. The site is an important buffer between Deepcar and Stocksbridge and prevents urban sprawl as described in the NPPF.

Highways

The houses at the end of Hollin Busk Lane do not have off street parking. Where will people park once the access into the development is created? This junction would further impact the flow of the junction with Coal Pit Lane.

Transportation links are already extremely poor, reduced and overcrowded to Sheffield and no links/tram/rail options to neighbouring towns.

Appearance

When the original plan was submitted, there was a playground and a large SUDs, both have now been removed from this revised plan.

Many of the existing stone walls will be removed.

Further development would severely impact on the beauty and character of the countryside in this area which is much valued by the local community. The houses all look the same.

Ecology

The application makes little or no mention of what will happen to the wildlife currently living or foraging on the fields. With other recent and ongoing nearby developments this proposal will have a clear and significant impact on them.

Residential Amenity

The proposed location of the development will have a negative impact on the existing local infrastructure and amenities.

The area's infrastructure is already struggling in terms of schools, doctors and road networks.

Affordable Housing

The cost of the proposed new homes is likely to be well outside the affordability of the vast majority of first time buyers which is where the principal demand for new housing lies.

Coal Mining Legacy

The plans identify a mine shaft within the site (although locals seem to suggest there's more than one in that location). A lot of home insurers will reject a policy if you are within a certain vicinity of a mine shaft due to the risks. How do the developers propose to tackle this issue?

Other Issues

Many elderly people live within the area and will suffer from noise and general disturbance during building works.

The development will lead to a loss of views.

The Broomhead Estate conducted land work without informing local livestock owners, which resulted in injuries to livestock.

Amended plans have been received and neighbours renotified. 7 representations were received as a result of the further round of consultation (2 from the same household).

These re-iterate the points made in the original representations, strongly objecting to the development. Further areas of concern are as follows:

The revised proposal will have a greater impact on the properties on Broomfield Lane and Broomfield Grove. The alteration of the position of the SUD basin will mean that more dwellings will overlook the neighbouring properties.

The maintenance of the existing dry-stone wall adjacent to properties on Broomfield Grove is questioned.

Timber fences are likely to get damaged in periods of high winds.

The bungalows which were proposed to the rear of Broomfield Grove have been replaced by a large 4 bedroomed 2 storey house.

In addition to the neighbour representations the following consultation responses have been received:

Stocksbridge Town Council – Object due to access / egress onto a narrow road (Hollin Busk Road). The development would also impact upon neighbouring properties some of which are bungalows which would be overlooked.

South Yorkshire Police - Recommend that the scheme is built to 'Secured by Design' standards.

Coal Authority – No objection. The proposed layout has been designed to be built around the recorded mine entries. Condition 9 of the outline consent deals with other coal mining legacy issues and so these can be dealt with through a discharge of conditions application.

South Yorkshire Mayoral Combined Authority - The proposed access on Broomfield Lane appears to require the removal of a bus stop pole. This does not create any issues, but will require the re-stickering of the neighbouring flag stop. SYMCA request that they are informed if / when the pole is removed so they can update their records.

Northern Powergrid – No objections provided statutory rights are not affected and rights of access to equipment are preserved for maintenance purposes.

Yorkshire Water – Initial drawing 24158-RLL-24XX-DR-C-200 (rev p04) did not show the public water main or the 6m easement that is required (3m to either side of the pipe). There were concerns that Detention Basin 2 could fall within this zone. Amended plans have been received which show the water main and easement (rev p08). The shape of Detention Basin 2 has also been slightly amended so that it falls entirely outside of the easement area, thereby addressing YW's objection.

PLANNING ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 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 in the process of adopting a new local plan – the Sheffield Local Plan; however this is yet to be adopted and so carries little weight at present.

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

The National Planning Policy Framework (NPPF) which was most recently updated in December 2024 is also a material consideration.

As already mentioned, the outline application has established the principle of development on the site for up to 92 dwellings. The points of vehicular access into the development have also been considered by the Planning Inspector to be acceptable. The only matters that are being considered by this report are those that

were reserved by the outline application. These include the appearance, landscaping, layout and scale of the development.

The Inspector made it clear in the decision notice that the submitted plans were for illustrative purposes and so they do not impose any constraints upon the proposed development in terms of the site layout or house types.

Layout and Appearance

Core Strategy Policy CS74 (Design Principles) requires development to enhance distinctive features of the area, which is also reflected in UDP Policy BE5 (Building and Design Siting) which expects good quality design in keeping with the scale and character of the surrounding area. These policies are considered to be largely in line with the NPPF, which considers good design a key aspect of sustainable development.

Policy H15 of the UDP sets out that new housing development should provide easy access and circulation; adequate garden space; uniform boundary treatments next to roads, footpaths or other open areas and pedestrian access to adjacent countryside. UDP Policy H16 requires developers of new housing development to ensure that there would be sufficient open space to meet the local needs of people living there with provision of well designed informal open space as well as children's play facilities.

These policies are not wholly compliant with the NPPF, being a little more specific than the guidelines contained therein and so are afforded a little less weight. Paragraph 135 of the NPPF sets out that planning decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate landscaping; are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change; establish a strong sense of place using the arrangement of streets, spaces and building types to create attractive and welcoming places; optimise the potential of the site to accommodate and sustain an appropriate mix of development (including green and other public space) and create places that are safe, inclusive and accessible, with a high standard of amenity for existing and future users.

Guideline GOS1 of the Council's Supplementary Planning Document (SPD) on Community Infrastructure Levy and Planning Obligations (2015) states that for residential developments over four hectares, a relevant proportion (a minimum of 10%) of the site should be laid out as open space. A legal agreement was signed as part of the outline application to secure the provision, maintenance and management of such areas of open space.

The site layout is arranged around two access points. On the western side of the development an access point is taken from Hollin Busk Road. This will serve 17 of the proposed dwellings which are to be a mixture of detached and semi-detached properties. The dwellings on the northern side of the access are set back from the Broomfield Lane frontage to the north so as not to interfere with public water main which runs along Broomfield Lane or the root protection areas of the trees which sit

within the verge. The existing dry-stone wall at the site entrance is to be rebuilt using the original stone and a pavement is to be provided along Hollin Busk Road to the junction with Broomfield Lane.

To the south of these 17 plots, the existing drystone field boundary is to be retained and this field and the one adjacent are to remain undeveloped, providing an area for biodiversity enhancements.

Whilst the vehicular access roads will not connect through the development a single pedestrian access point is proposed through the existing drystone wall to the east of the 'Hollin Busk Road plots (numbered 76-92)'. This will allow pedestrians access to the play area and SUDS basin areas which are relatively centrally located within the scheme. Both of these areas would benefit from passive surveillance from the surrounding dwellings, reducing the likelihood of antisocial behaviour, and would be landscaped to provide an attractive environment.

The larger SUDs basins would be adjacent to the site access from Broomfield Lane, preserving some of the open character when looking into the site from the lane. Again the access through the drystone wall would be flanked by a new drystone wall. The access point from Broomfield Lane will serve the bulk of the development. A spine road is proposed with 4 lesser spurs each terminating in a cul-de-sac. The dwellings here are to be a mixture of detached, semi-detached and terraced runs of three dwellings. 2 semi-detached bungalows are also proposed in the south eastern corner of the site adjacent to the existing bungalows on Broomfield Grove.

Landscaping is proposed to the periphery of the site, with the exception of where the development will abut the existing properties on Broomfield Grove (further details on landscaping are contained later within this report).

The properties are to be constructed largely from a variety of buff and red bricks with contrasting detail. At the entrance into the site on Hollin Busk Road and at a couple of accent points towards the play area the properties are proposed to be constructed from reconstituted stone. This is in a nod to the traditional natural stone properties on the opposite side of Hollin Busk Road.

The dwellings are to have a variety of roof forms. Some will have pitched roofs with gables facing the highway, others with gables at right angles to the frontage. In addition some of the properties are proposed to have hipped roofs. All of these roof types can be found within the local area. The variation in roof types will assist in adding interest to the scheme rather than all of the dwellings being of uniform appearance.

The boundaries to the properties are to consist of brick walls with piers and timber infill panels, close boarded timber fencing and some hedge planting. In addition simple post and rail fencing to some of the open space areas, knee rails (to prevent vehicles overrunning some of the vehicular accesses and to prevent indiscriminate parking), as well as the retained stone boundary walls are also proposed.

The layout plan shows that adequate separation distances can be provided between properties to prevent unacceptable levels of overshadowing or overlooking from

occurring. This will be expanded upon in the residential amenity section of the report.

The layout plan indicates that around 2 hectares of the site (over 40%) is to be given over to open space provision. The two fields to the south west of the site would not have any public access, but would provide visual amenity as the fields do at present.

The central area of the site would provide useable public open space. People if they so wished can walk around the SUDs basins to reach the dedicated children's play area (LEAP) and footpaths are proposed from Broomfield Lane and Hollin Busk Road to the play area. As such the play area would be accessible to occupiers of neighbouring property around the site as well as occupiers of the development. Full details of the LEAP are to be provided at a later date however the site layout plans confirm its position within the site. It would be afforded passive surveillance from the neighbouring dwellings (on plots 66-75).

When considered in the round, the proposed layout and appearance of the development are considered to be acceptable and are in accordance with Core Strategy Policy CS74, UDP Policy BE5, H15 and H16 and paragraph 135 of the revised NPPF.

It is however recommended that conditions be imposed requiring large scale details of certain elements (such as windows, doors, eaves verges etc) to be provided for local authority approval prior to development commencing; full details of all external materials; a sample panel of the proposed new stone walling and a condition prohibiting the erection of any fencing or signage to the SUDs basins with prior written agreement.

Landscaping

As already mentioned, the southwestern portion of the site is to be retained as open fields with some enhancements for biodiversity (BNG) which include species rich meadows and scrub planting. The existing drystone walls which form the field boundaries are largely to be retained and where the entrances into the development are formed new stone walls are to be erected (utilising the existing stone). This will help the development 'bed into' the landscape. Details of any alterations to the existing walls are required by Condition 28 of the outline approval.

Along the southern edge of the scheme further landscaped areas are proposed which include tree planting which will soften the development when viewed from higher ground to the south along Hollin Busk Lane.

The properties will be set back from Broomfield Lane to the north, preserving the existing trees which are planted in the verge. A hedgerow is proposed along this boundary which will sit inside the existing drystone boundary wall which is to be retained and repaired.

Three SUDs attenuation basins are proposed. The plans show the basins to be planted with a wetland meadow mix, with the higher ground surrounding the basins planted with a flower meadow mix.

Access to the basins will be restricted through defensive planting of thorny species such as dog rose, hawthorn and buckthorn. The intention is that these areas will form an interesting landscape feature. The location of the basins will maintain open views into the site towards the children's play area.

Fairly central to the development, in front of the dwellings on plots 71-75 a children's play area is proposed (LEAP). Full details of this can be secured by condition; however the indicative landscaping plans show this area to be surrounded by wildflower meadow with a footpath running east – west through the area.

To the rear of No.39 – 31 Broomfield Lane a further landscaped strip is proposed. This area will form an embankment which will incorporate a land drain. Part of this area is to be sown with a wild flower meadow mix and the remaining embankment would be fenced off to provide another small species rich meadow area.

The rear gardens of the dwellings on plots 29 – 36 are to abut the rear boundary of properties on Broomfield Grove. The applicant has indicated that enhanced planting will be undertaken to the rear of plots 34 -36 to lessen any perception of overlooking from these dwellinghouses to the bungalows to the rear (No.26 and 28 Broomfield Grove).

In principle the landscaped areas are considered to be acceptable, in accordance with UDP Policy BE5, Core Strategy Policy CS74 and the NPPF. Conditions are recommended requiring full details of the play equipment, attenuation basins and swales to be provided as well as conditions relating to the implementation and maintenance of landscaped areas. This is in addition to the requirements of the s106 agreement which requires the formation of a management company. A condition requiring tree protection measures to be provided is also recommended.

Scale

As already set out, the development is to consist largely of 2 storey properties, some of which will have accommodation in the roof space. A pair of semi-detached bungalows are proposed and these will back onto an existing bungalow at 28 Broomfield Grove.

The proposed dwellings are generally consistent with the scale and form of existing housing in the area which comprise of detached two-storey properties with a few semi-detached, terraced properties and bungalows also present.

The scale of the proposal is considered to be acceptable.

Residential Amenity

UDP Policy H15 requires that new development should not cause harm to the amenities of both occupiers of the development and existing residents. This is supported by Supplementary Planning Guidance 'Designing House Extensions' which, whilst not strictly relevant to new houses, is instructive in terms of good practice guidelines and principles for the relationship between new and existing buildings. The NPPF (paragraph 135) requires a high standard of amenity for existing

and future users. The adopted policy is therefore considered to align with this requirement so should be given significant weight.

The plans show that adequate separation distance can be provided between the proposed dwellings and existing properties to the east of the site on Broomfield Lane and Broomfield Grove.

There is a distance of at least 20m from the rear of properties on plots 23 – 28 to the boundary with the rear gardens of 31 -35 Broomfield Lane, with a further 7-8m to the rear of these properties. The development would be sited at a higher level than the existing dwellings on Broomfield Lane; however the gap between the new dwellings and these properties is sufficient to prevent unacceptable levels of overlooking from occurring. Guideline 6 of the Council's SPG requires a minimum of 21m but does specify that on sloping land a greater distance may be needed. Furthermore, existing planting along this boundary is to be retained and enhance with some additional tree planting.

Looking at the separation between the development and properties to the east on Broomfield Grove, a distance of between 12 -15m is provided between the new dwellings on plots 29 -33 to the boundary of the site, with a further distance of between 8m -11m to the original rear elevations of 16 -24 Broomfield Grove (several of these properties do have single-storey rear extensions).

The proposed dwellinghouse on plot 34 did cause some concern given that this is to be a large property and the dwelling to the rear on Broomfield Grove is a bungalow (No.26 Broomfield Grove).

In response, the applicant has pulled the dwelling on Plot 34 as far from the boundary as possible and has shown that a separation of 24m can be achieved to the rear of the original building line of No.26 Broomfield Grove and over 21m to the conservatory that has been added to No.26. Whilst a bungalow in this location would have been preferable the development does achieve adequate separation distances and so on balance is considered to be acceptable. In addition, the applicant is proposing enhanced planting in this area along the boundary to provide some screening.

To prevent overshadowing Guideline 5 of the Council's SPG requires a distance of at least 12m between a two-storey property and main facing windows of a neighbour. This is achieved throughout the development.

The layout plans show that each property would have sufficient private amenity space and would generally accord with Guideline 4 of the Council's SPG which requires rear gardens to be a minimum of 50sqm and to have a distance of 10m from the rear elevation to the back boundary. Although sufficient amenity space can be provided some of the gardens are small and of an irregular shape. Some of the rear gardens are also adjacent to the roadways. To ensure that any future development (such as extensions / outbuildings etc) would not be harmful to occupiers of neighbouring dwellings or the visual amenity of the development it is recommended that permitted development rights be removed. This would be by way of a condition.

Cross sections have been provided which demonstrate that part of the site would be elevated with a fairly gentle batter (slope) down to the existing dwellings. It is recommended that a condition be imposed requiring full details of levels (existing and proposed), including finished plot levels to ensure that the development is not unnecessarily elevated which could have an overbearing impact upon neighbours. In terms of residential amenity, subject to the imposition of conditions, the development would accord with UDP Policy H15 as well as paragraph 135 of the NPPF.

Highways, Access and Parking

The NPPF focuses on promoting the use of active and public transport and directs that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Vehicular access into the site and the impact that the number of dwellings proposed would have upon the highway network in terms of traffic generation were considered and approved by the outline application.

The site layout plans indicate that each of the properties would have at least two off-street parking spaces. Some of the properties would also have garages providing additional parking spaces. It is considered that the development would have sufficient parking.

Plans showing vehicle tracking have been provided. These show that the turning areas and junctions within the development would be accessible by long refuse vehicles.

In addition to the two accesses that have previously been approved a further pedestrian access onto Broomfield Lane is proposed. This will provide a direct route to the children's play area. Footpaths are also proposed within the development running in an east – west direction which will improve permeability. Highways improvement works necessary to facilitate the development were made a condition of the outline application (Conditions 13 and 14), as well as the implementation of a Travel Plan (Condition 23). The safe ingress and egress of construction vehicles is dealt with by Condition 10 of the outline approval as is the provision of wheel washing equipment to prevent mud from being deposited on the highway (Condition 12).

The proposal raises no highway safety concerns and is considered to be acceptable in highways terms. It is recommended that a condition be imposed requiring the parking for each property to be provided prior to occupation of that part of the development.

Flood Risk and Drainage

Policy CS67 (Flood Risk Management) looks to reduce the extent and impact of flooding by ensuring all developments significantly limit surface water run-off, and the NPPF requires decision makers to ensure developments do not lead to an increase

in flood risk. Conditions 6, 24, 26 and 27 of the outline approval deal with issues of land drainage.

Details have been provided of how surface water is to be managed, using a series of swales and attenuation basins. Surface water will be prevented from flowing from drives onto the highway by way of drainage channels where appropriate.

The SUDs basins would be capable of attenuating surface water drainage for the development up to a 1 in 100 year storm event (plus 40% to accommodate climate change). The effect that the development would have upon neighbouring sites in terms of surface water drainage would be negligible.

Foul water drainage would connect to the existing sewer network in Broomfield Lane. Yorkshire Water have confirmed that a foul connection for the development could be accommodated.

The Council's Lead Local Flood Authority as local drainage authority has raised no objections to the principle of the proposed surface water drainage arrangements subject to further details being provided at the detailed design stage to discharge the relevant conditions of the outline approval.

In principle the drainage details are considered to be acceptable. The management and maintenance of the drainage features are covered by the legal agreement that was signed and sealed as part of the outline application, the content of which remains in force.

Ecology and Biodiversity Net Gain

The site is crossed in part by a Green Corridor and Green Link as identified in the UDP (Map 4 The Green Network). Although the map is diagrammatic in form, it does show that the land is important for linking together areas of open space.

UDP Policy GE10 states that a network of Green Corridors and Green Links will be (a) protected from development which would detract from their mainly green and open character or which would cause serious ecological damage, and (b) enhanced by encouraging development which increases their value for wildlife and recreation.

The proposal, which incorporates significant amounts of connected green space will preserve and could even enhance the value for wildlife and recreation.

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

UDP Policies GE11 and GE13 seek to protect the natural environment and enhance areas of natural history interest. UDP Policy GE12 states that development which

would damage Sites of Special Scientific Interest or Local Nature Reserves will not be permitted.

Paragraph 187 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment, mitigating harm and providing net gains in biodiversity including the incorporation of features which support priority or threatened species such as swifts, bats and hedgehogs.

Paragraph 193 goes on to state that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

It is considered that the local policy aims of protecting and enhancing ecology are compatible with the NPPF and therefore weight can be attributed to the local policies.

The outline application provided a suite of appropriate surveys which made a reasoned and competent assessment of the site; showing there to be no protected species present.

Although the outline application pre-dated the mandatory requirement for developments to provide a 10% net gain for biodiversity, Condition 16 of the outline consent specified that a 10% net gain be achieved in line with the Council's adopted Biodiversity Technical Advice Note (September 2023).

The applicant has provided a 'Biodiversity Net Gain Report (December 2024)', which includes habitat condition assessments and pre- and post-development BNG calculations.

Existing habitat on the site is considered to be mostly in poor condition with a medium level of distinctiveness, this being largely unimproved grassland with a few small pockets of scrub and several trees to the rear of properties on Broomfield Lane.

As already mentioned, the proposed development is to retain two of the fields on the south western part of the site. These are proposed to be enhanced through the provision of species rich grassland planting as well as smaller areas of scrub and trees. The aim is that these field which are currently in a poor habitat condition will be elevated to provide a good habitat condition. There is to be no public access into these areas other than for maintenance purposes.

The embankment in the north eastern corner of the site between the development and properties on Broomfield Lane is also proposed to provide a good habitat condition, again through planting and a lack of public access.

The proposed SUDs basins are to be managed and maintained for wildlife and these will provide moderate habitat condition.

Hedgerows are proposed along the site frontage to Broomfield Lane and along part of the southern boundary of the site as well as within the development. Overall the proposed plans would provide 3.12 hedgerow units; however, as there were no

hedgerows present in the baseline site survey, this figure cannot be counted towards the net gain percentage.

Despite the proposed enhancements the development would result in a net loss of 5.96 habitat units (29.69% net loss). To compensate and provide the target 10% net gain 7.97 additional habitat units are required. As these cannot be accommodated on site the applicant has set out that these will be provided through the purchase of habitat credits from a certified habitat bank. The current cost of habitat units is £25,000 per unit. As 8 units would be required a sum of £200,000 would be required to fulfil the net gain requirement (as well as the on-site measures detailed above). A deed of variation to the existing s106 legal agreement is proposed to secure this.

In addition to the Biodiversity Net Gain Report the applicant has also provided a Species Enhancement Technical Note. This accompanies an indicative plan showing that the development can incorporate bat and bird boxes (suitable for house sparrows, starlings, swallows, swifts as well as 'general purpose' bird boxes); log piles for insects and invertebrates; hedgehog highways and corridors suitable for foraging and commuting bats. All these improvements are required by Condition 16 of the outline permission and will be secured through the discharge of that condition.

It is considered that in principle the proposal complies with Core Strategy Policy CS73, UDP Policies GE10, GE11, GE12 and GE13, all of which carry weight in the decision making process, and NPPF paragraphs 187 and 193.

Affordable Housing

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

The Council's Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (December 2015) includes guidance on affordable housing.

The proposed development exceeds the 15 or more dwellings threshold and lies within an area where there is a required level of contribution of 10% identified in Guidelines GAH1 and GAH2 of the Planning Obligations document. The s106 legal agreement which binds the outline permission also stipulates that at least 10% of the development is to provide affordable housing and of that of that 10% a quarter of the properties are to be first homes.

The development is located within the Stocksbridge & Deepcar Housing Market Area (HMA). It will consist of a mix of 2, 3, 4, and 5-bedroom homes for sale. Of these, 5 homes are designated for affordable rent, 2 for shared ownership, and 2 as first homes for first-time buyers. This will meet the 10% affordable housing requirement, with 9 of the properties being 'affordable'.

All of the proposed dwellings would meet the recommended nationally described space standards, which is welcomed.

The proposal would comply with Core Strategy Policy CS40 which carries weight in the decision making process.

Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is applicable to this development. The site is located within a CIL Charging Zone with a residential levy of £30 per square metre, plus an additional charge associated with the national All-in Tender Price Index for the calendar year in which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010.

The funds generated through CIL will be used in connection with strategic infrastructure needs.

Response to Representations

The majority of the issues raised have already been covered elsewhere within the report.

In response to the question as to why more housing is needed in Stocksbridge, given the number of developments that are currently under construction or have consent, the Council are unable to demonstrate a five-year supply of land for housing and so in line with the Government's objective to significantly boost the supply of homes set out at NPPF paragraph 61, further housing development is encouraged rather than precluded in order to boost housing supply. The Council's latest figures, published in December 2024, taking on board the revised NPPF, show that there is only a 3.07 years supply.

The site is not located within the Green Belt and therefore does not fulfil the purpose of Green Belt and the development cannot be assessed against Green Belt policy.

With regard to representations concerning the loss of a well loved area for local residents there is no public access to the site. The development will bring about improvements in terms of access to open space, through the incorporation of areas of public open space and a children's play area in the central portion of the site.

In terms of subsidence /safety of the mine shafts, as set out by paragraph 197 of the NPPF, responsibility for securing a safe development rests with the developer and / or owner.

Issues of noise and disturbance during construction works, loss of view, devaluation of property and possible difficulties with gaining insurance are not planning considerations.

SUMMARY AND RECOMMENDATION

Outline planning permission for the erection of up to 92 dwellings on this site, which consists of open fields on the fringe of Stocksbridge, has been granted at appeal. The principle of residential development on the site has been established therefore

and is not for debate again here.

This reserved matters application seeks approval of the proposed layout, scale, appearance and landscaping of the new development.

It is considered that in principle, when weighed in the balance with the need to provide homes and given the Council's lack of a five year housing land supply, the development would not be significantly harmful to the overall character and appearance of the area. It would provide sufficient affordable housing and open space and, subject to the completion of a deed of variation to the existing legal agreement for the site, it would bring about a 10% net gain for biodiversity that is required by the outline planning permission rather than the mandatory regime.

The means of access into the site was approved by the outline application and the submitted site layout plans indicate that the proposed road network within the development site would be accessible for large vehicles (such as bin lorries).

Sufficient parking can be provided for the development.

The proposal raises no significant residential amenity concerns with the proposed dwellings being sited far enough from neighbouring properties so as not to cause undue overlooking or overshadowing having regard to the relevant external spacing standards.

When assessed against the policies in the UDP, Core Strategy and NPPF and in line with NPPF paragraph 11dii) it is recommended that planning permission be granted. This recommendation is subject to conditions and a deed of variation to the existing legal agreement attached to outline application reference 22/02303/OUT (S106), the heads of terms of this variation are set out below.

HEADS OF TERMS

1. Prior to the commencement of development to submit a Biodiversity Net Gain Enhancement and Management Plan to the Council and not to Occupy any Dwellings until the Biodiversity Net Gain Enhancement and Management Plan has been approved in writing by the Council (the Approved Biodiversity Net Gain Enhancement and Monitoring Plan).
2. Prior to Occupation of the 46th Dwelling to complete the enhancement works set out in the Approved Biodiversity Net Gain Enhancement and Management Plan (the Approved Works) in accordance with the Approved Biodiversity Net Gain Enhancement and Management Plan; and following completion of the Approved Works to manage and maintain the Approved Works for a period of 30 years from completion, in compliance with the Approved Biodiversity Net Gain Enhancement and Management Plan.
3. In the event that the Approved Biodiversity Net Gain Assessment concludes that the biodiversity net gain shall be delivered (in whole or in part) through the Biodiversity Contribution, and the Council agrees that a Biodiversity Contribution is appropriate:

- a. Prior to Occupation of any Dwellings to pay 33% of the Biodiversity Contribution to the Council and not to Occupy any Dwellings until 33% of the Biodiversity Contribution has been paid to the Council;
- b. Prior to Occupation of the 25th Dwelling to pay an additional 33% of the Biodiversity Contribution to the Council and not to Occupy any Dwellings until 66% of the Biodiversity Contribution has been paid to the Council;
- c. Prior to Occupation of the 75th Dwellings to pay the balance of the Biodiversity Contribution to the Council and not to Occupy any Dwellings until the Biodiversity Contribution has been paid to the Council.

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.

The obligation to agree a to the provision of a Biodiversity Net Gain Enhancement and Management Plan is needed to ensure that the proposed ecological enhancements are provided and maintained for the minimum 30 year period as required by Condition 16 of the outline application.