

PINS REF. | APP/J4423/W/21/3267168
LPA REF. | 17/04673/OUT
DATE | MAY 2021
PPG REF. | P19-2172.002



LANDSCAPE AND VISUAL STATEMENT OF COMMON GROUND

IN RELATION TO:

**AN OUTLINE PLANNING APPLICATION FOR THE
ERECTION OF UP TO 85 RESIDENTIAL DWELLINGS
(*REDUCED FROM 93 ORIGINALLY*) AND OPEN SPACE
(17/04673/OUT)**

ON

**LAND AT JUNCTION WITH CARR ROAD, HOLLIN BUSK
LANE, SHEFFIELD, S36 1GH**

PREPARED ON BEHALF OF HALLAM LAND MANAGEMENT LIMITED

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DESIGN **ENVIRONMENT** **PLANNING** **ECONOMICS** **HERITAGE**

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1. STATEMENT

- 1.1 This Statement of Common Ground has been agreed between Mr Brian Denney of Pegasus Group Limited on behalf of the appellant, Hallam Land Management Ltd ("the Appellant") and Mr Ricardo Ares, of Ares Landscape Architects Limited on behalf of Sheffield City Council ("the Council") in respect of landscape and visual issues in the case of the appeal related to Land at the Junction with Carr Road and Hollin Busk Lane, Sheffield, S36 1GH.
- 1.2 The purpose of this Statement of Common Ground is to inform the Inspector and other parties about the areas of agreement and disagreement between the Appellant and the Council on the appeal submission for the development of up to 85 dwellings. Unless stated otherwise, all of the content of this document is agreed.

Signed on behalf of the Appellant	
Name	Brian Denney BA(Hons), DIPLA, FLI, CENV, MIEMA
Position	Senior Director, Pegasus Group Ltd
Date	24.05.2021

Signed on behalf of Sheffield City Council	
Name	Ricardo Ares
Position	Director, Ares Landscape Architects Ltd
Date	24.05.2021

2. INTRODUCTION

2.1 The planning application reference 17/04673/OUT (“the Application”) sought outline planning permission with approval of details of points of access to the site (but not within the site), at land described as land to the north of the junction of Carr Road and Hollin Busk Lane in Deepcar, Sheffield.

2.2 The proposal, as first submitted, sought planning permission for the erection of 93 dwellings. On the basis of addressing comments from officers of the Council, the proposal was amended (January 2020) during the course of the application to 85 dwellings and the description of the application was amended accordingly. The application was subject to the initial public consultation on 18th December 2017 and re-consulted on 21st January 2020 which was agreed to be comprehensive. The proposal upon which the Council made its decision was described as follows:

“Outline application for up to 85 residential dwellings including open space, Land At Junction With Carr Road Hollin Busk Lane Sheffield S36 1GH”

2.3 The following plans were submitted to support the Application and are those upon which the Council took its decision, however it is recognised that the masterplan is illustrative only:

- Site Location Plan dated 13.02.17 (CD1.1)
- Proposed Access Arrangement onto Carr Road (Ref: 3421 SK001 004 Revision B) published on 29 November 2017 and included within the submitted Transport Assessment dated 27 June 2017 (CD1.23)
- Illustrative masterplan December 2019 (CD1.3) indicating access into the development
- Combined Parameter Plans Rev A Dec2019 (CD1.4)

2.4 There are now the following plans in substitution which are agreed to be used for determination of the appeal:

- Illustrative masterplan April 2021 (CD1.3a)
- Parameter Plans April 2021 (CD1.4a-f)

- 2.5 The application was first placed on the Council Planning Committee (CD1.5) on the 4th June 2019 when the application was for 93 dwellings and occupied a larger area for development purposes (agenda Item 11a). The planning officer at that time considered that there was not a five year supply of housing land and concluded:

"In the absence of an up to date approved local plan, and the Government's planning policy guidance seeking to significantly boost the supply of homes, it is considered that substantial weight has to be given to the delivery of housing that the proposed development would achieve.

On balance it is considered that the dis-benefits of the loss of open space and harm to the character and views of open countryside would not significantly and demonstrably outweigh the benefits of the proposal to provide open market housing and affordable housing, public open space and the associated economic, social and environmental benefits of the proposal."

- 2.6 The application was presented to committee for the second time on 14th July 2020, this time the Council considered there was a 5.1 year supply of housing land and the Planning Officer again concluded that permission should be granted. In relation to landscape and visual matters the report stated (CD1.7) (p97):

It is also acknowledged that the scheme will result in adverse landscape and visual effects in the immediate vicinity of the site; however these are localised and beyond private residential views, are limited to highway users and limited areas of the adjacent PROW. The site is not located in the green belt, it is not a Valued Landscape and landscape and visual impact on the wider area will be very minimal. A link in the green network will be narrowed but will still remain and the Ecology Unit has raised not overall objections to the scheme subject to conditions...

In reaching a decision on the planning balance exercise, it is concluded that the adverse impacts identified above would not significantly and demonstrably outweigh the delivery of housing and the associated benefits that this would bring in the context of the need to significantly boost the supply of homes.

On this basis, it is concluded that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme, when assessed against the policies in the Framework taken as a whole, and in line with Framework paragraph 11dii) planning permission should be granted.”

- 2.7 This recommendation was not supported by the committee and the Application was refused by the Council’s Planning Committee on the 14th July 2020, against the recommendation of its officer, the minutes of the meeting (CD1.8) state:

*6a.6 RESOLVED: That Application No. 17/04673/OUT - Outline application for up to 85 residential dwellings including open space (Amended Description) at Land At Junction With Carr Road, Hollin Busk Lane, Sheffield, S36 1GH be REFUSED on the grounds of the **significant harmful impact on visual amenity both locally and wider**, and the substantial harm to a heritage asset. The decision notice to be formulated and the final wording to be delegated to the Chief Planning Officer in consultation with the Co-Chairs of the Planning and Highways Committee (emphasis added).*

- 2.8 The decision noticed was issued on the 20th July 2020 and states in relation to landscape and visual matters.

2 The Local Planning Authority considers that the proposed development would result in unreasonable harm to the established landscape and to visual amenity at both local and wider levels, creating unacceptable impacts on the character of the area and the intrinsic character and beauty of the countryside, while also undermining the role of the site in visually separating established settlements. The resulting adverse impacts would significantly and demonstrably outweigh any benefits the scheme delivers. As such the proposal is considered to be contrary to Paragraphs 127(c) & 170(b) of the National Planning Policy Framework, Policies GE4 & LR5(i&j) within the adopted Sheffield Unitary Development Plan and Policies CS23, CS24 & CS72 within the adopted Sheffield Development Framework Core Strategy.”

The Appellant submitted an appeal to the decision of the Council pursuant to section 78 of the Town and Country Planning Act 1990 (“the Appeal”) on 6th January 2021. The appeal was validated on 29th January 2021.

3. THE SITE AND SURROUNDING AREA

SITE DESCRIPTION

- 3.1 The appeal site is located to the north of the junction with Carr Road and Hollin Buskin Lane, Deepcar, north-west Sheffield. A location plan of the site can be found at CD1.1 ("Site").
- 3.2 The Site covers an area of some 6.5 hectares. The part of the site upon which built development is proposed extends to the north east of a notional line extending from the junction between Hollin Busk Lane/ Carr Road / Royd Lane/ Cockshot Lane and the western end of Fox Glen. The proposal for land to the south west of this notional line, is for open space, SUDs and enhanced grassland and no built development.
- 3.3 Agricultural fields are located to the west of the application site and along part of the north western boundary. Fox Glen, an Area of Natural History Interest (ANHI) and Local Wildlife Site (LWS) runs along the remainder of the north western boundary, this contains Clough Dike and has a housing area directly behind.
- 3.4 To the northeast, the site adjoins dwellings and their rear gardens on Carr road. To the east and south east of the site is more housing. The part of the site within which built development is proposed is that which lies nearer to these existing residential areas.
- 3.5 A cluster of properties and a small field are also located along the eastern boundary between the site and Carr Road. Some of these properties are Grade II Listed (Royd Farmhouse and a barn).
- 3.6 To the south of the site is Hollin Busk Lane with green belt beyond. The site itself is not in the green belt.
- 3.7 The site is allocated as an Open Space Area on the Sheffield Unitary Development Plan Proposals Maps dated 1998. The site forms the eastern part of a larger area of land which extends to the west and north-west.
- 3.8 The site comprises several private fields used for grazing.

- 3.9 The site lies on the north facing valley slopes above the River Don and is oriented towards the built up area of Deepcar and Stocksbridge. It falls steadily from its southern boundary at Hollin Busk Lane (c252 AOD) to its lowest point near Fox Glen (c230mAOD).
- 3.10 There are a small number of trees across the site. These comprise five trees and two tree groups that are assessed as being of high quality (Grade A). These are located around the edges of the site, primarily to the edges of Fox Glen, with one Grade A tree located to the north west of Royd Farm. All of these trees are unaffected by the proposed development.

4. THE APPEAL PROPOSAL

- 4.1 The appeal proposal is an outline planning application for up to 85 dwellings, including open space, with approved access, to but not within the Site.
- 4.2 The Site would be accessed via a new vehicular access from Carr Road.
- 4.3 Further details of the proposed scheme is provided within the planning application's Design and Access Statement (CD1.10) although detailed design is to be addressed at a reserved matters stage.
- 4.4 In summary, the proposal is as follows:
- Development of up to 85 dwellings;
 - Access from Carr Road via a new priority junction in the sites north eastern corner;
 - 1.62ha of open space, 0.074ha of Locally Equipped Area for Play (LEAP), 0.44ha of SUDs, and 1.92ha of restricted access enhanced grassland.

5. LANDSCAPE AND VISUAL MATTERS AGREED

- 5.1 The Appellant submitted a Landscape and Visual Assessment dated November 2017 (CD1.11) to address the scheme's impact in relation to landscape matters. It is agreed that the content of the document is comprehensive and up to date.
- 5.2 In addition, the following documents are apposite to the determination of the appeal:
- National Character Area profile 37 Southern Pennine Fringe (CD7.1)
 - Sheffield Preliminary Landscape Character Assessment (CD7.2)
 - National Planning Policy Framework (CD4.1)
 - Sheffield Unitary Development Plan (CD3.2a-b – 3.5)
- 5.3 Landscape character is assessed at a national level by Natural England through the use of National Character Area (NCA) profiles. The site, and much of the surrounding landscape that includes the settlements of Deepcar and Stocksbridge, lies within the extensive NCA 37 Yorkshire Southern Pennine Fringe (CD7.1). This covers some 58,510 ha of the landscape.
- 5.4 Landscape characterisation has been undertaken at a district level by the Sheffield Preliminary Landscape Character Assessment (CD7.2). It is agreed that although the report explains that this is not a completed final report but the first stage in landscape characterization, the site and the landscape south of Deepcar and Stocksbridge lies within the Upland Character Area, and the sub area of UP2 – Pastoral Hills and Ridges, within this emerging characterization document.
- 5.5 The site covers around 6.5 ha of agricultural land, with 3.98 ha of this area being open space, SUDs, play space and ecological enhanced landscape, leaving development on some 2.52 ha or 39 % of the overall site. It is located on the southern edge of the built-up area of Deepcar/Stocksbridge. There is further housing to the north and north-west of the site. The site comprises six gently sloping agricultural fields that are open in their character. Common to the local and wider landscape they are used for grazing. The fields are bound by a combination of gritstone walls of varying condition. Fox Glen contains a watercourse (Clough Dike), a number of small ponds and a Public Footpath. Beyond the woodland is residential development that includes housing at

Bloomfield Grove and Broomfield Lane. The wider urban area of Stocksbridge lies to the north. The site's western boundary is defined by a drystone wall and some intermittent mature trees at its edge with Fox Glen. To the west the landscape comprises grazing fields and housing at Broomfield Lane. Broomfield Lane connects with the built-up area of Hollin Busk and East Whitwell at Hollin Busk Road and Hollin Busk Lane. The site's southern boundary is defined by a low stone wall and the adjacent footway, carriageway and its associated lighting at Hollin Busk Lane. To the south, beyond gently rising agricultural land and Cockshot Hill, is the village of Bolsterstone, around 0.6km from the site. The site's eastern boundary is defined by low stone walls and the properties of Royd Farm and Royd Cottage. Lying adjacent is the residential area of Royd with Royd Lane and Carr Road characterised by relatively modern buildings.

5.6 The landform character of the landscape is illustrated by the Topography Plan (Figure 7, CD1.11) (Appendix 1) set out within the submitted LVA. Stocksbridge and Deepcar lie within the upland valley of the River Don and the Little Don River, which are framed and enclosed by the prominent escarpments of Don Hill-Hunshelf Bank to the north, and Wharnccliffe Crags, Wharnccliffe Moor and Wharnccliffe Chase to the east. As a consequence of the higher land around them, Deepcar and Stocksbridge are comparatively well contained within the wider landscape. The site lies on the north facing valley slopes above the River Don and is oriented towards the wider built-up area of Deepcar and Stocksbridge. It falls steadily from its southern boundary at Hollin Busk Lane to its lowest point near Fox Glen as depicted at LVA Figure 7 (CD1.11) (Appendix 1). To the south the valley slopes continue to gently rise to Cockshot Lane, Walders Low, Round Hill and Allman Well Hill. These small rounded hills form part of ridge of higher land that runs from the west at Salter Hills to Hollin Edge Height in the east, via the village of Bolsterstone. South of Bolsterstone the landscape descends into the steeply sided valley of the River Ewden.

5.7 The gently rising landform to the south of the site, together with intervening elements of vegetation and the built-up area of Stocksbridge, prevent any material visibility between the site and the Peak District and in particular the Peak District National Park. It is agreed that there would be no greater than a negligible effect upon the Peak District National Park.

- 5.8 The site contains no significant or unusual landscape features and is subject to agricultural management in the form of grazing land. Whilst the gritstone walls are of some local landscape and conservation value they are in varied condition.
- 5.9 The site forms part of an agricultural landscape of grazing fields within the context of the settlement edge of Stocksbridge and Deepcar. It is influenced to some degree by its relationship with the modern residential area of Carr Road and Royd Lane that border and overlook the site.
- 5.10 The site and the local landscape are not covered by any designation relating to landscape quality at either a national or local level. As a matter of local planning policy the site is designated an Open Space Area under the Sheffield UDP. To the south west of the built-up area of Deepcar and Stocksbridge is the nationally designated landscape of the Peak District National Park. Within the context of Deepcar, the boundary of the Peak District is defined by Heads Lane near the village of Bolsterstone around 0.7km to the south of the site at its closest point. Covering parts of Derbyshire, Yorkshire, Staffordshire and Cheshire, the Peak District extends over some 1,438 km² of the landscape. At a local level, the Sheffield UDP (CD3.2) has landscape designations that are defined as: "Areas of High Landscape Value". These are recorded by the UDP (CD3.2a) as being: "areas of the countryside which are very attractive, and which have a special character. It is agreed that the site is not identified as one of the areas that are attractive or have a special character in policy terms. The Council nonetheless considers it is of high landscape value.
- 5.11 The site is not used for any formal or informal recreation.
- 5.12 Though considered of some value to people in the area, it is agreed that the site is therefore not a "valued landscape" in the context of the Framework (CD4.1).
- 5.13 It is agreed that the Landscape and Visual Assessment (LVA) submitted with the application (CD1.11) has been undertaken broadly in line with best practice guidance (GLVIA 3) The Council has some concerns regarding the LVA that are set out in section 6 and it is for those reasons that the Council disagrees with the findings and conclusions of the LVA.
- 5.14 The material area of disagreement between the parties is that the Council relies on the views identified in the LVA to the north as an indication that the RVE is

more extensive in that location. It is otherwise agreed that within the LVA Figure 9 (CD1.11) (Appendix 2), the number of receptors of high susceptibility (i.e., residents and right of way users) that have clear views of the site are comparatively limited. It is agreed that the thirteen viewpoints (1 to 13) at Figure 9 (CD1.11, Figure 9) (Appendix 2) are representative of views towards the site from locations within the surrounding area. It is to be noted that the location of viewpoint 13 is plotted slightly inaccurately on Figure 9 and should be just to the north of the notation K on that Figure.

5.15 It is agreed that the receptors that would have clear views, as set out and assessed in the LVA, are judged to be:

- i. Residential receptors that are opposite the site on Carr Lane and Royd Lane, and those nearby at Hollin Busk Lane, Broomfield Lane and Broomfield Grove;
- ii. Right of Way users on the Footpath in Fox Glen – albeit views are limited in extent to one or two locations - and those on the Footpath heading south from Bolsterstone; and
- iii. Highway users travelling past the site or in close proximity to it on Hollin Busk Lane, Carr Lane, Royd Lane and Cockshot Lane. It is agreed that the frequency and level of effect from these receptor locations is as set out in the LVA.

5.16 In addition, the Council relies on Rights of Way users to the north, from an area characterised as Hunshelf bank, which stretches approximately 3km east to west that from Holly Hall to Briery Busk Farm, and incorporates local beauty spots and areas of Access Land. The Council provides a location plan of additional views from this area and this is contained at Appendix 3.

5.17 It is agreed that there would be no greater than a minor effect for the following receptors:

- Receptor E – Public Right of Way at Stocksbridge Golf Club;
- Receptors G – Public Right of Way – Barnsley Boundary Walk;
- Receptor K – Public Right of Way – Don Hill Height.

6. MATTERS ON WHICH THE PARTIES HAVE NOT AGREED

6.1 The Council has three main areas of disagreement with the LVA that accompanied the application and on which it bases its case at this appeal:

- The landscape quality of the existing site and the immediate surrounding area, and the resulting impact of the development on the character and appearance of the area;
- The locations from which the proposals would be visible and the scale of harm on the wider visual amenity;
- The methodology of the submitted LVIA.

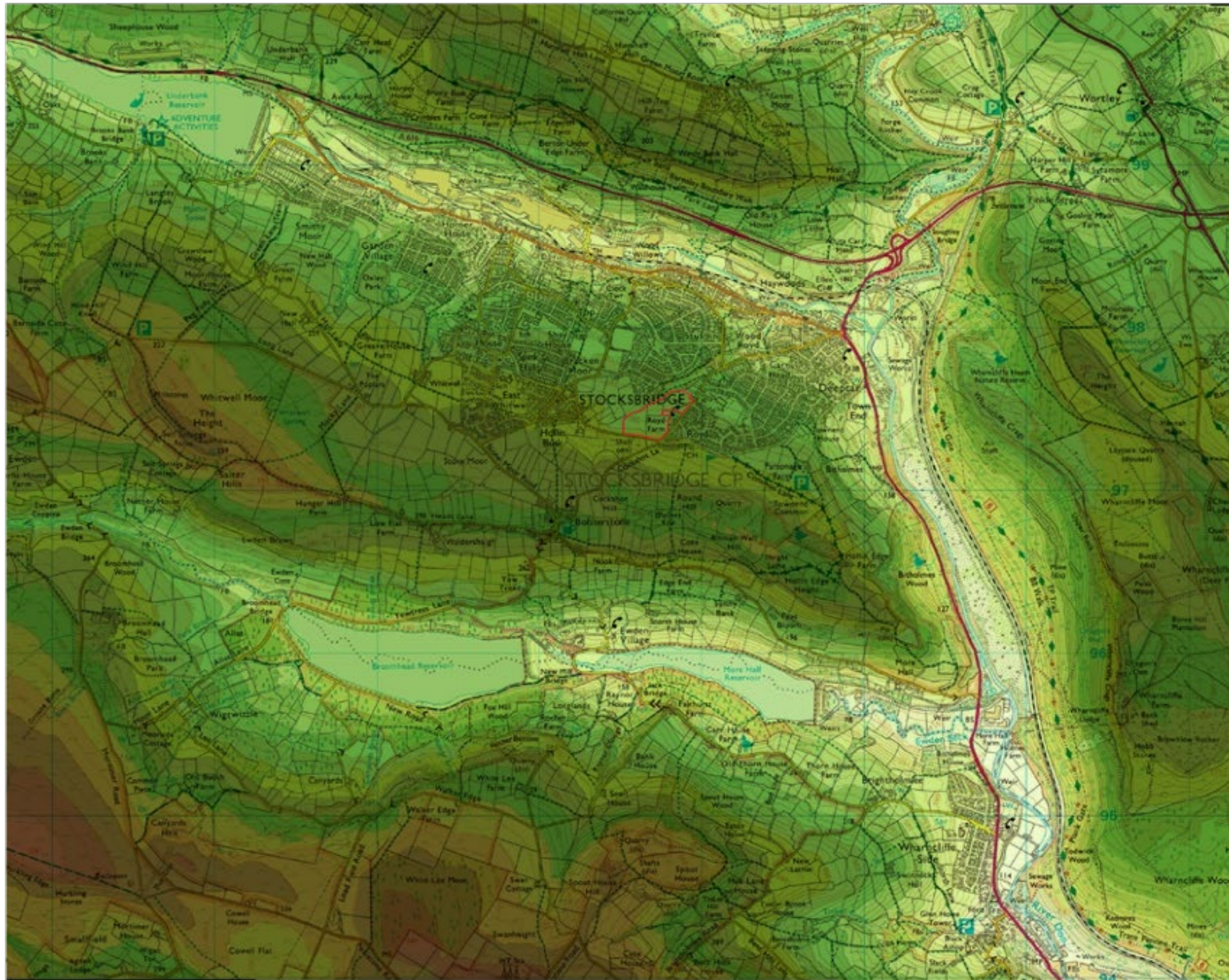
6.2 The Council's concern with the LVA is that although it has been completed largely in accordance with best practice as set out within GLVIA (Vol 3), it is claimed to fall short in two areas:

- The baseline views included to illustrate existing likely change in views from key Viewpoints did not consider seasonal changes and are showing full leaf on all deciduous trees in and around the site. This is claimed to ignore the likely more significant impact during winter months when different views of the site would be available.
- There have been no photomontages produced which illustrate the likely change to key viewpoints, whilst it is accepted this is not a fundamental requirement of the LVA as set out in GLVIA (Vol 3). The Council maintains that such an approach is standard practice.

6.3 As a result of some of the shortfalls above, and the disagreement over existing baseline conditions, SCC's position is that it does not agree with some of the key findings of the LVA, which will be dealt with in evidence.

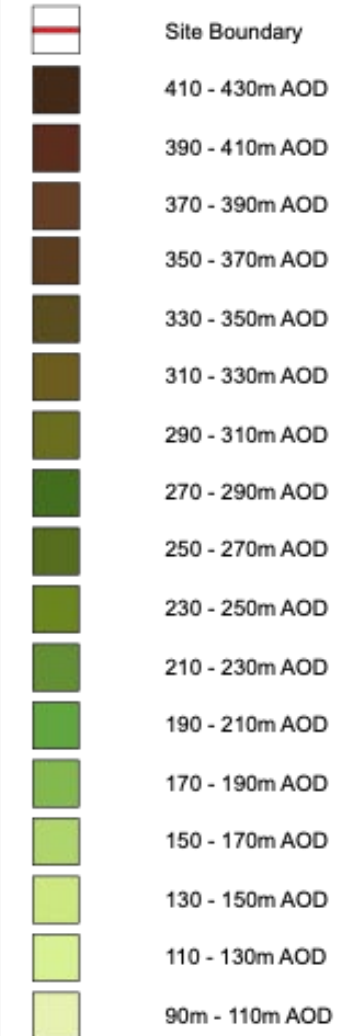
APPENDIX 1

LANDSCAPE AND VISUAL APPRAISAL FIGURE 7



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client
Hallam Land Management Ltd
 project
**Land off Carr Road,
 Deepcar**
 drawing title
TOPOGRAPHY PLAN

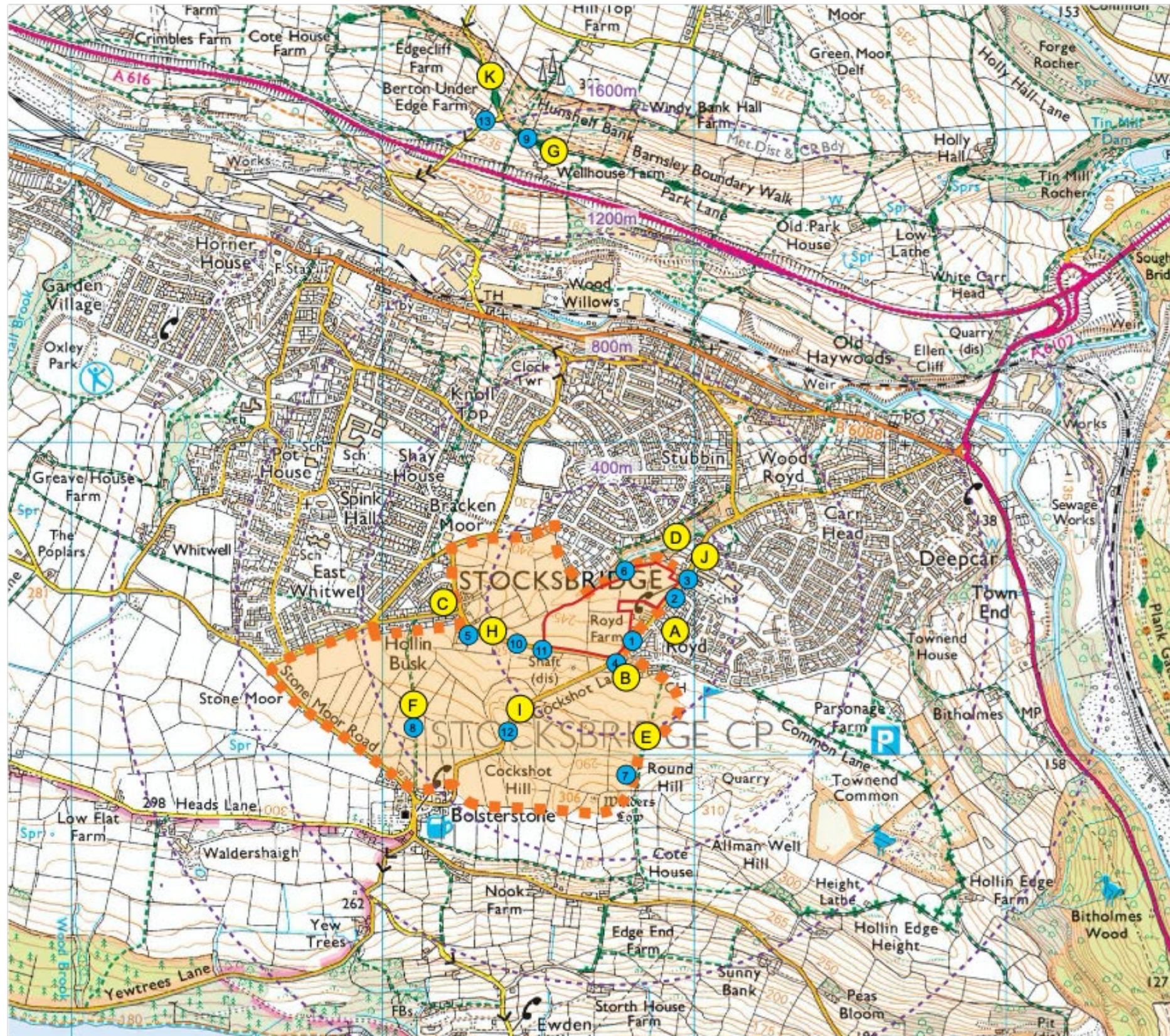
scale
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 drawing / figure number
Figure 7

drawn
 ELB
 issue date
 14 February 2017

rev
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APPENDIX 2

LANDSCAPE AND VISUAL APPRAISAL FIGURE 9



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-  Site Boundary
-  Distance Radii
-  Viewpoint Location
-  Representative Visual Envelope
-  Visual Receptors

Receptors

- A - Visual Receptors: Residents - Carr Road
- B - Visual Receptors: Residents - Royd Lane
- C - Visual Receptors: Residents - Hollin Busk Lane
- D - Visual Receptors: Public Right of Way users - Public Footpath, Fox Glen
- E - Visual Receptors: Public Right of Way users - Public Footpath, Stocksbridge Golf Course
- F - Visual Receptors: Public Right of Way users - Public Footpath, Bolsterstone to Hollin Busk Lane
- G - Visual Receptors: Public Right of Way users - Barnsley Boundary Walk
- H - Visual Receptors: Highway users - Hollin Busk Lane
- I - Visual Receptors: Highway users - Cockshot Hill
- J - Visual Receptors: Highway users - Carr Road
- K - Visual Receptors: Highway users - Don Hill Height

Note: Representative Visual Envelope
 A representative Visual Envelope (RVE) has been prepared. The RVE has been determined through the fieldwork analysis and a review of the visibility of the site and the Proposed Development for visual receptors. The RVE illustrates the potential area of the landscape in which the Proposed Development is anticipated to be visible for those visual receptors that are within the RVE. Depending on intervening elements such as hedges, tree groups, landform and buildings, the extent and nature of views for these receptors will vary between full, partial and glimpsed - and for some receptors these views would be transient. Opportunities for views of the Proposed Development may potentially occur outside the RVE, although it is concluded that distance would reduce prominence and perceptibility for receptors with the built development expected to be difficult to clearly distinguish because of intervening elements within the landscape. At Year 10, visibility of the built development for those receptors that have views would lessen as a result of the containment and filtering created by the maturing landscape framework.

Client: **Hallam Land Management Ltd**
 Project: **Land off Carr Road, Deepcar**
 Drawing title: **VISUAL AMENITY PLAN**

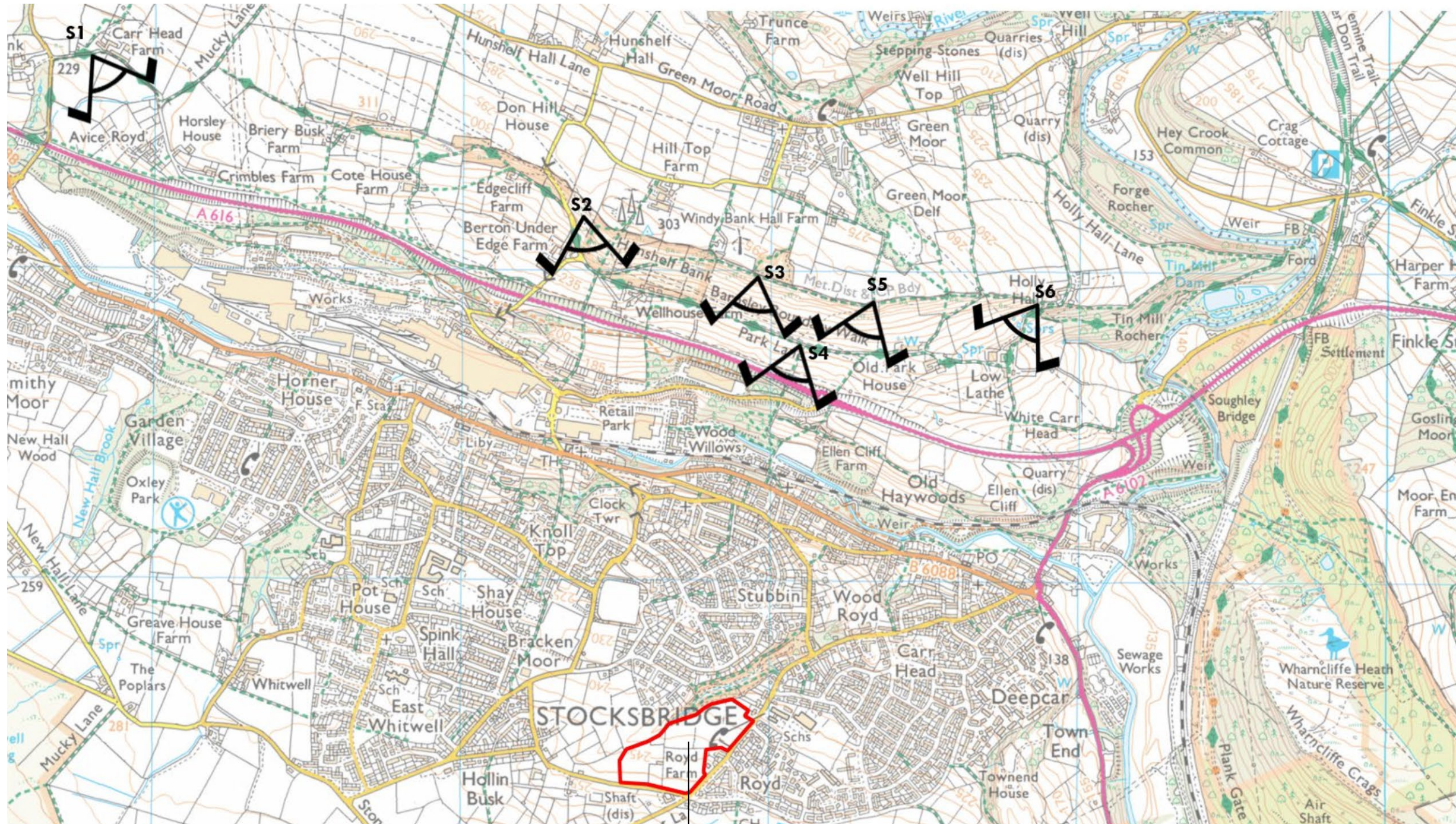
Scale: 1:12,500 @ A3
 Drawing / Figure number: **Figure 9**
 Issue date: 14 March 2017

APPENDIX 3

VIEW LOCATION PLAN PREPARED BY SHEFFIELD CITY COUNCIL

VIEW LOCATION PLAN

Additional views taken outside the suggested RVE by the Appellant



Proposed
Development Site

APP/J4423/W/21/3267168