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Case Number	19/03890/OUT (Formerly PP-08233859)
Application Type	Outline Planning Application
Proposal	Outline planning application, with all matters reserved except for access, for the partial demolition of dwellinghouse, retention of 2-storey stone barn, demolition of single storey ancillary buildings, erection of up to 41 dwellinghouses, formation of vehicular access point and provision of open space and landscape buffer - Amended description
Location	9-11 Wood Royd Road Sheffield S36 2TA
Date Received	24/10/2019
Team	West and North
Applicant/Agent	DLP Planning Ltd
Recommendation	Grant Conditional Subject to Legal Agreement

## **Time Limit for Commencement of Development**

1. The development shall not be commenced unless and until full particulars and plans thereof shall have been submitted to the Local Planning Authority and planning approval in respect thereof including details of appearance, design, siting and landscaping (matters reserved by this permission) shall have been obtained from the Local Planning Authority.

Reason: Until full particulars and plans of the development (including details of the matters hereby reserved) are submitted to and approved by the Local Planning Authority they cannot agree to the development proceeding.

2. The development shall be begun not later than whichever is the later of the following dates:- the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

3. Application for approval in respect of any matter reserved by this permission must be made 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)**

4. The development shall be carried out broadly in accordance with the following documents and plans:-
  - Heritage Impact Assessment published 17/11/2020
  - Indicative Layout and Design Code published 09/11/2020
  - Site profiles (Drawing No. 19/004/021 Revision B) published 31/08/2020
  - Flood Risk Assessment and Drainage Strategy published 1/11/2019

Reason : In order to define the permission

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

5. No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

6. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

7. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

8. No development 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. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. 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 and its management 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.

9. No development shall commence until detailed proposals for surface water disposal, including calculations have been submitted to and approved in writing by the Local Planning Authority. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of  $Q_{Bar}$  based on the area of the development. An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site.

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.

10. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity 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.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

11. No development 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.

12. No demolition and/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.

13. No development shall commence until a report has been submitted to and approved in writing 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.

14. No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- The programme and method of site investigation and recording.
- The requirement to seek preservation in situ of identified features of importance.
- The programme for post-investigation assessment.
- The provision to be made for analysis and reporting.
- The provision to be made for publication and dissemination of the results.
- The provision to be made for deposition of the archive created.
- Nomination of a competent person/persons or organisation to undertake the works.
- The timetable for completion of all site investigation and post-investigation works.

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

Reason: To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

15. No development shall commence until further intrusive site investigations have been undertaken to establish the exact coal mining legacy issues on the site and a report explaining the findings has been submitted to and approved in writing by the Local Planning Authority. The report shall include the submission of a layout plan which identifies the exact location of mine entry 428398-038, including grid coordinates (if found present within the site), and the calculated zone of influence (no-build zone) around the mine shaft. In the event that site investigations confirm the need for remedial works, details of the remedial works shall also be submitted to and approved in writing by the Local Planning Authority and the works shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the site is safe for the development to proceed and the safety and stability of the proposed development, it is essential that this condition is complied with before the development is commenced.

16. No development 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.

17. No development shall commence until a fully updated bat and reptile surveys shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the ecological interests of the site are maintained in accordance with Policy and that no offence is committed in respect of protected species legislation.

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

18. No above ground works shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle safety measures) listed below have either:

a) been carried out; or

b) details have been submitted to and approved in writing by the Local Planning Authority of arrangements which have been entered into which will secure that such improvement works will be carried out before the development is brought into use.

Highways Improvements:

- Construction of new priority junction and footways to serve the development site, broadly in accordance with the submitted drawings.
- Any accommodation works to statutory undertaker's equipment, traffic signs, road markings, lighting columns, highway drainage and general street furniture necessary as a consequence of the development.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway.

19. Prior to the commencement of development, a Landscape and Biodiversity Enhancement Master Plan shall be submitted to and approved in writing by the Local Planning Authority. The content of the Plan shall include:

- An assessment of baseline conditions set out in the ecological report and species surveys (RammSanderson September 2019, 3079-PEAR V1) to establish if there have been any changes in the presence and/or abundance of protected species and identify any likely new ecological impacts.

- Where the survey results indicate that changes have occurred that will result in ecological impacts not previously considered as part of this outline application, the originally approved ecological mitigation measures shall be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

- Aftercare and long-term management and maintenance of ecological features including an appropriate monitoring strategy.

- Biodiversity Net Gain calculations using the DEFRA 2.0 metric.

- Provision and specification of bird nesting and bat roosts (boxes) opportunities within/adjoining the site.

Works shall then be carried out in accordance with the revised approved ecological mitigation measures and timetable.

Reason: To ensure the ecological interests of the site are maintained and that the habitat creation on site and subsequent management measures are sufficient to deliver a net gain in biodiversity as required by the NPPF paragraph 170.

20. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:

- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
- ii) the means of discharging to the public sewer network at a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal

21. Prior to works starting on site a dilapidation survey of the highways adjoining the site shall be jointly undertaken with the Council and the results of which agreed in writing with the Local Planning Authority. Any remedial works will have been completed to the satisfaction of the Local Planning Authority prior to full occupation of the development.

Reason: In the interests of traffic safety and the amenities of the locality.

22. The residential accommodation hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:

- a) Be based on the findings of a noise report by a qualified noise consultant.
- 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 dwellinghouses

23. Before the dwellinghouses are brought into use, Validation Testing of the sound insulation and/or attenuation works shall 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 then, notwithstanding the sound insulation and/or attenuation works 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 the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained.

Reason: In order to protect the health and safety of future occupiers and users of the site it is essential for these works to have been carried out before the use commences.

24. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

### **Other Compliance Conditions**

25. The development shall not be used unless all redundant accesses have been permanently stopped up and reinstated to kerb and footway, and any associated changes to adjacent waiting restrictions that are considered necessary by the Local Highway Authority including any Traffic Regulation Orders are implemented. The means of vehicular access shall be restricted



solely to those access points indicated in the approved plans.

Reason: In the interests of highway safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

26. No building or other obstruction including landscape features shall be located over or within 4 (four) metres either side of the centre line of the public sewer i.e. a protected strip width of 8 (eight) metres that crosses the site . If the required stand -off distance is to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken .

Reason: In order to allow sufficient access for maintenance and repair work at all times

27. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason: In the interest of satisfactory and sustainable drainage

28. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, 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: In order to ensure that any contamination of the land is properly dealt with.

29. No development shall take place within 35 metres of the Clough Dike Culvert.

Reason: To reduce the risk of flooding to the proposed development and future occupants from blockages to the existing culvert(s).

Attention is Drawn to the Following Directives:

1. 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](mailto:eps.commercial@sheffield.gov.uk).

2. As the proposed development abuts the public highway you are advised to contact the Highways Co-ordination Group prior to commencing works:

Telephone: 0114 273 6677

Email: [highways@sheffield.gov.uk](mailto:highways@sheffield.gov.uk)

They will be able to advise you of any pre-commencement condition surveys, permits, permissions or licences you may require in order to carry out your works.

3. You are required, as part of this development, to carry out works within the public highway. You must not start any of this work until you have received formal permission under the Highways Act 1980 in the form of an S278 Agreement. Highway Authority and Inspection fees will be payable and a Bond of Surety required as part of the S278 Agreement.

You should contact the S278 Officer for details of how to progress the S278 Agreement:

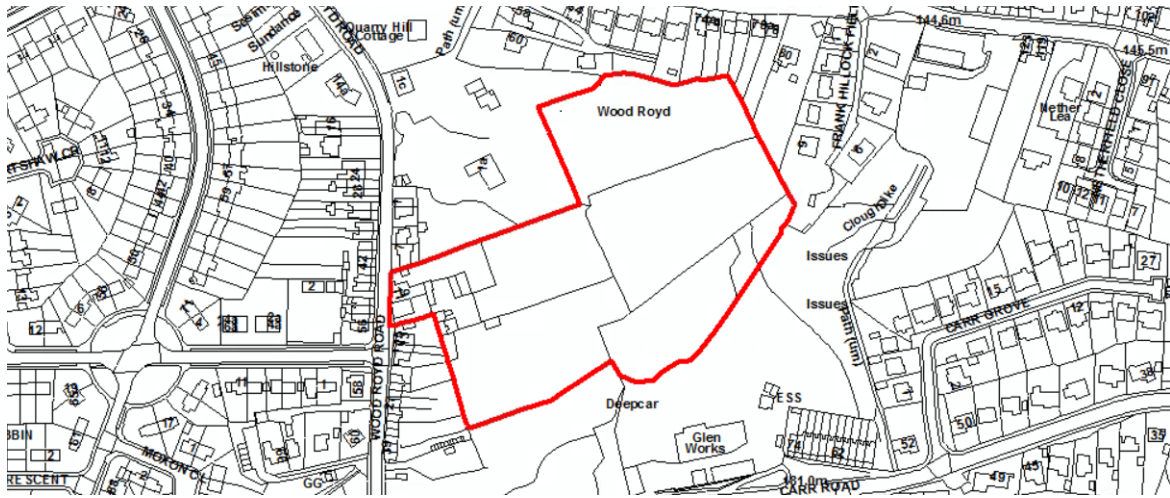
Mr J Burdett

Highways Development Management  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

Tel: (0114) 273 6349

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## Site Location



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## **SITE LOCATION**

This application relates to Wood Royd Farm in Deepcar. The site is situated to the east of Wood Royd Road, and is made up of a former farmstead that dates from the late 18<sup>th</sup> century and the adjoining agricultural fields. The site includes a farmhouse, a two-storey stone barn and associated single storey outbuildings that include two 'nissen' style huts (half-cylindrical with a skin of corrugated iron). To the east of the farmstead are 5 individual fields that are divided up by low drystone walling. The site contains few trees, largely around the perimeter, and the five grassland compartments comprise of poor semi-improved and neutral grassland.

The application site is situated within both a designated Housing Area and an Open Space Area as set out on the Sheffield Unitary Development Plan Proposals Map. The Housing Area occupies the western section of the site towards Wood Royd Road and covers approximately 9,200 square metres (40%) of the total site area, the remaining area of approximately 14,000 square metres being open space (60%).

The site also lies within The Coal Authority High Risk Development Area associated with former mining activities/works.

The site covers an area of approximately 2.35 hectares, the majority of which is open pasture. The land extends back from Wood Royd Road for about 220m. The site's front section to Wood Royd Road, which contain the farm buildings is relatively level, beyond which, the land falls quite steeply away to the north, east and south. Due to the topography of the site, the lowest section of the site (AOD 172.69) is about 17.5m below the ground levels to Wood Royd Road (AOD 200.5).

Access into the site is taken from Wood Royd Road, to the southern side of the farmhouse.

The site is bounded by residential properties to its north, east and west, including either side of the farmhouse fronting onto Wood Royd Road. Beyond the site's northern field are detached and terraced dwellinghouses, some of which front onto Haywood Lane, and to its north-east is a small group of houses that front onto Haywood Lane and Frank Hillock Field.

A dense woodland belt (Fox Glen Wood Local Wildlife Site) and further residential development lies to the south and south east of the site, beyond which is an open storage commercial business (Glen Works) and a large detached dwellinghouse that take their access from Carr Road.

## **PROPOSAL**

Outline planning permission is being sought to erect up to 41 dwellinghouses on this site. All matters are reserved except for access.

The proposal has been amended during the course of the application with the number of dwellinghouses reduced by one. The proposal now includes the demolition of the front section of the farmhouse to Wood Royd Road and the retention of the site's attached stone barn (both were previously shown to be

demolished in their entirety) and the demolition of the single storey ancillary buildings.

It is noted that while the farmhouse and stone barn are included within the red line boundary, the demolition of part of the front section of the farmhouse and any subsequent proposal to change the use of the barn to an alternative use, such as residential, are not permitted under this outline application and would be subject to separate full planning applications at a later date.

## **RELEVANT PLANNING HISTORY**

No relevant history.

## **SUMMARY OF REPRESENTATIONS**

Five site notices were posted within the vicinity of the site on the 3 December 2019. The application was also advertised in the Sheffield Telegraph on the 7 November 2019.

Two rounds of consultation were undertaken: the first on validation of the application and the second in November 2020 following the receipt of amended plans and a revised heritage design statement.

Letters of objections have been received from 105 properties. A number of households have written in more than once.

Representations have also been received from Stockbridge Town Council, the Campaign for the Protection of Rural England (CPRE), Sheffield and Rotherham Wildlife Trust and Town and Local Councillors Julie Grocutt and Francyne Johnson.

A summary of comments received under each round of consultation is listed below.

First round of consultation:

Development Plan/Housing Land Supply

- The supporting information infers that local planning policy is out of date and carries limited weight. The reference to this is incorrect and the existing Core Strategy still applies where it is in-line with the NPPF. The NPPF clearly states that local policies should not be considered out of date simply because they predate the NPPF. The NPPF gives protection to green spaces.

Highway Issues

- The current vehicular access to the site is not adopted and is just an infrequently used track with substandard visibility, obstructed by the building-lines of adjacent properties, beyond the control of the applicant.
- The development site access would be less than 20 metres north of the Armitage Road junction on the opposite side of Wood Royd Road, which also has poor visibility. Section 3.16 of the submitted Transport Assessment

seems to imply that because visibility is substandard at Armitage Road, the precedent has been set for it to be substandard from the development site access. For a development of this type and scale, the layout of the new junction arrangement should be to adoptable standards, which given the visibility situation, would not seem to be achievable here.

- There are hazard markings in the middle of Wood Royd Road opposite Armitage Road, demonstrating safety concerns.
- Do not agree with the assertion in the Transport Assessment that development trips will be insignificant.
- The Transport Assessment has under predicted development trips.
- The development dwellings would mean an additional 80 or more cars using Wood Royd Road, adding to congestion during the peak periods.
- On street parking is already problematic close to the site entrance.
- Wood Royd Road should be made residents parking only with a 20-mph speed limit.
- The development site should have space set aside for existing residents to park on.
- Make Wood Royd Road one-way.
- Construction traffic will obstruct Wood Royd Road, residents won't be able to park and school children will be endangered.
- The development will increase traffic using Carr Road trying to join Manchester Road, which is already problematic.
- Lots of houses on Wood Royd Road have no off-street car parking. The new access arrangement for the development will reduce on-street parking opportunities for residents still further.
- Parking in the vicinity of Armitage Road reduces the width of Wood Royd Road to single-file traffic, making it difficult to drive along during school times and at rush hours. Buses sometimes struggle to manoeuvre and there can be conflicting bus movements, which occasionally results in vehicles having to reverse.
- Visibility is restricted by the brow of the hill on Wood Royd Road.
- The eastern footway along Wood Royd Road is fragmented, causing pedestrians to walk in the carriageway.
- The layout relies on existing road users reacting to slow moving traffic leaving the development site.
- Access to the shops and amenities is via a steep hill, which makes walking and cycling unlikely. This is an unsustainable location.
- The local road network is already too congested
- A site visit should be carried out by the Highways Dept.

#### Heritage Issues

- The Department of Culture, Media and Sport states that most buildings from 1700-1850, which retain a significant proportion of their original fabric, are likely to be considered to hold special interest.
- The original farm buildings may not be listed but they are some of the oldest in the vicinity.

## Design/Landscape Character

- These dwellings would not add to the overall quality of the area.
- The loss of open space would result in over-development and harm the character of the local area.
- The properties above the area to be developed overlook the Wharnccliffe Craggs, which must be upheld as a valued landscape as it is particularly out of the ordinary.
- Developers are trying to build on green spaces in the valley, cramming more houses into every available piece of ground and ruining the character of the area.

## Infrastructure/Services

- The schools, GP surgeries and dentists in the area struggle to cope currently. The provision of additional housing will place further strain on services which are already stretched.
- The local infrastructure is already at breaking point. Transport in and out of the area is impossible at busy times. A next to useless bus service, no tram or rail service and the main road into Sheffield is totally inadequate for the volume of traffic.
- HMAP confirms Stocksbridge is overcrowded by 7% compared to the wider Sheffield area (3%). Furthermore, Stockbridge High School is listed as being oversubscribed in 2019/20.
- There are already a lot of new houses at Fox Valley, with more due to be built near Station Road at Deepcar and potentially at Hollin Busk.

## Ecology Issues

- Bats have roosts in the outbuildings.
- The drystone walls provide a habitat for a number of animal and plants.
- The natural habitat for birds, badgers, foxes and hedgehogs will be lost. Hedgehogs are a protected species, and their numbers are already in decline.
- The site is an important habitat for reptiles.
- The site is an important green corridor.
- The development will result in the loss of flora and fauna.

## Residential Amenity Issues

- The construction of the houses would cause a lot of dust and noise over a long period of time, involving heavy machinery and deliveries entering and exiting the site at the top of Wood Royd Road.

## Flooding/Drainage Issues

- The site is currently agricultural land. It serves an important role in holding flood waters from Fox Glenn and Clough Dike. Building on this site would



cause problems for the natural flow of water run-off, reducing the natural permeability of the ground. The fields are part of a natural soakaway.

- Owing to the slope of the land, the developer intends to pump drainage up to the existing system. If the pump fails or is overwhelmed by the volume to be drained, the overflow will discharge onto properties on Haywood Lane.
- The issue of flooding is only going to get worse in the future. The development likely to pose a risk of flooding of the new properties based on the fact that they are situated in the run-off area from the culvert should it overflow again.

#### Loss of Open Space

- Open green spaces should be retained. Once they are lost they are lost forever, hence their protection in the first place.
- There are more appropriate brownfield sites that should be developed first.
- The Council has adopted a policy of 'green corridors' with inter-connecting green links. One of these links is the subject of this application, which runs up the hillside and separates Deepcar from Stocksbridge. The application seeks to destroy this green separation and continue urban sprawl across the hillside.
- Residents of Deepcar live here because of the greenspaces, which are rapidly being lost to development.
- The development is solely being pushed through to meet government targets on housing.
- Local people value the green nature of the area with open views across the hillside and access to open countryside for walking and recreation.

#### Other/Miscellaneous Issues

- Based on the statements made by DLP, the only benefit we can ascertain from this proposal is that the supply of market and affordable housing provided meets a small shortfall of housing land availability. That shortfall only being 0.3 years and that this outweighs the apparent limited harm of the development.
- The submission claims that the UDP and policy LR5 have effectively expired, but where is the evidence.
- Consideration must be given to the stability of the site given the history of mine working in the area.
- Roof mounted solar panels will not work owing to the planned orientation of the roofs, the site being on a steep north facing slope.
- The stated contribution to the economic and social elements of sustainability in the planning statement have not been identified.

#### Non-Planning Issues

- There are a number of better options for the site.
- Loss of views.

Stocksbridge Town Council objected to the application for the following reasons:

- The proposed development site is very close to the junction of Armitage Road with Wood Royd Road. The centreline of the proposed access is around 20m from edge of Armitage Road, and the application justifies this close proximity by making reference to the junction spacing guidance in section B.3.1.2 of South Yorkshire Residential design guide. This guidance does not however stipulate that the distance should be measured from the centreline of the proposed and existing junctions; indeed, when measured from the edges of the existing and proposed junction the separation is actually around 9 metres.
- Visibility at the access point to the proposed development is constrained due to the building lines of adjacent properties. The transport statement says that cars climbing Wood Royd Road would see slow-moving cars exiting the site and therefore be able to react in time. Stocksbridge TC would argue that road safety is the responsibility of everyone, and does not believe that the sole onus of road collision avoidance should be placed on road users who are already negotiating a steep incline on a road with two-way traffic, restricted width due to numerous parked vehicles, and already having to anticipate the busy Armitage Road junction which is also utilised by public transport.
- The application site is currently undeveloped except for grazing purposes, and as such allows a certain degree of natural surface water permeation at this critical location between Fox Glen, which is known to flood frequently and severely during bad weather events, and Clough Dyke, which also floods to a considerable degree during such events. The development of this site would inevitably lead to a reduction in the natural permeability of the ground, and indeed an acceleration of the downhill flow of surface water toward Clough Dyke and, ultimately, the B6088 Manchester Road and the Little Don.
- The site is currently home to a plethora of wildlife including birds and bats, which rightly enjoy protection under planning and environmental regulations. No assessment has yet been made of the precise species count at this site, however it is known locally to have a wide variety. This site is also close to the willow tit habitat which was recently restored in an effort to increase the South Yorkshire population of this threatened species. The site is currently divided up into fields by a number of dry-stone walls, which are known to provide a habitat for a variety of plant and animal species due to their ability to provide a range of temperatures, levels of light and degrees of water saturation in close proximity, as well as helping to provide a conduit along which wildlife can move from one area to another.
- Wood Royd Road is already a very busy road in comparison to its width, and feeds onto Carr Road, a major local road which is even busier, particularly at peak times. The applicant's own assessments concede that the development of this site would lead to a considerable increase in vehicle movements to and from the site. It is entirely likely that the majority of these vehicle movements would link to Carr Road in order to connect to the bypass and M1, as this connectivity is suggested as an argument to demonstrate the sustainability of the site by the applicant. This would however exacerbate the problems faced by local people at the congested junction of Carr Road and Manchester Road, near the Vaughton Hill traffic lights, which already cause significant tailbacks in all directions. Unfortunately, the applicant's traffic study was conducted at a time of the day when traffic was at or close to its minimum level.

- Local services such as schools, medical and dental services are full and will struggle to cope with the additional housing which has been built or for which permission has already been granted. The provision of additional houses will cause further strain.
- The approval of this planning application would permit the demolition of a farmhouse which, although not listed by Historic England, predates an 1851 Ordnance Survey map of the local area and has therefore been a fixed part of the local built heritage for at least 170 years. The official guidance for adding buildings to the List, from the Department of Culture, Media and Sport, states that most buildings from 1700-1850 which retain a significant proportion of their original fabric are likely to be considered to hold special interest, and therefore are worthy of consideration for inclusion on the List.
- Very careful consideration must also be given to the stability of the application site, given the history of mine workings in this area. This not only potentially weakens the ability of the surface to bear weight, but also significantly complicates the consideration of issues such as underground drainage.

Councillor Julie Grocutt stated that over 30 local residents attended a Stockbridge Town Council meeting to make objections to the above application. In addition to concerns about road safety, the ecology of the site, flooding, safety due to old mine shafts and the demolition of the farmhouse, residents claimed that no planning notices were displayed on the boundary of the site. She also states that, since this meeting, a number of photographs and videos of recent flooding in the area have been submitted, which seems to suggest that flooding starts at Hollin Busk, comes into Fox Glen then across Wood Royd Road and into the site and then into the houses on Haywood Lane.

Councillor Francyne Johnson objected to the development for the following reasons:

- Any additional traffic in this area will have to use Carr Road to gain access to the M1 motorway or get to into Sheffield. This is already a congested junction. Putting more vehicles onto this road is not feasible.
- The access road into the proposed site is opposite Armitage Road. The site lines at this point are not safe, due to the incline of the road, parked vehicles and the road being a bus route.
- Local residents in the cottages don't have any alternative but to park on the road. One side of the road does not have a footpath so residents walking out of the proposed development will be walking out onto the road. Bearing in mind the site lines this is not safe.
- The site is currently used for grazing and as such it deals with the water run-off and local flooding from Fox Glenn and Clough Dyke. These two areas do suffer from flooding and have recently caused local houses on Wood Royd Road to flood. This proposed site would increase the flow of surface water, causing problems further down the hillside.
- Not aware of any assessments being carried out on this site with regard to wildlife and protected species of bird and bats, which do inhabit this site. Building will have a detrimental impact on the local wildlife.
- Local amenities such as GP surgeries, dentists and schools are currently under pressure due to demand in the local area. Building more homes without

address these important needs will place a further strain on the already stretched services.

Sheffield and Rotherham Wildlife Trust objected to this application for the following reasons:

- Although the UDP maps date from 1998, they have not been superseded and it is clear that part of the site is currently allocated as open space. It is not clear how the proposed development would be in line with this allocation.
- The Sheffield Core Strategy ‘Policy CS33 Jobs and Housing in Stocksbridge/Deepcar’ says industrial land identified in Stocksbridge/Deepcar as surplus to operational requirements that could still provide employment and business opportunities for local people will be safeguarded for business development. New housing will be limited to previously developed land within the urban area. Opportunities will be taken as they arise to improve the environment of Stocksbridge District Centre and to enable its improvement and expansion when land becomes available. As this application is not on previously developed land, an assessment should be made against this policy.
- Immediate neighbours to site have been able to provide very specific information about a known bat roost. Every summer for several years they have observed bats emerging from the area of the east-facing circular window in Building B4. This roost has not been picked up by the ecological surveyor. Having read the PEAR it looks like there was only one surveyor attempting to survey several low and moderate risk buildings (including B4) during the dusk and dawn surveys. It is not possible for one surveyor to properly survey several buildings on their own in two surveys and it looks like an active, known bat roost was missed on this occasion. As bats are a protected species, all low and moderate buildings, including B4, requires further survey in the summer season by a suitable number of experienced ecologists before any planning decision can be made as the current information is unsound. Further surveys should not be conditioned.
- The PEAR identifies Fox Glen Wood LWS as being adjacent to the application site. It details at Paragraph 5.1.1 that ‘The current proposals include south and south-eastern facing gardens (dwellings 31-40, 44 & 45; ref: Wood Royd Road Concept 01 Site Layout), as such, there remains a risk of introduced species encroaching into this ancient woodland from these gardens. Given this LWS’s proximity to the site, it is advised that some mitigation be put in place to ensure no impacts occur from the influx of additional local residents and potential garden flora escapees.
- As per Natural England guidance (Natural England 2019), a buffer of at least 15m should be maintained between Fox Glen Woods LWS and the development, to prevent root damage. Further mitigation to prevent the encroachment of garden species into the woodland could include the installation of close-board fences on the property boundaries.
- An ecologically sensitive lighting plan will be required to reduce impacts on the LWS if the application is successful.
- The submissions from the Environment Agency, Yorkshire Water and many local residents highlight the role the current open space provides in terms of flood alleviation. Perhaps the site could instead be developed as a natural

flood management site. If the development is to be granted, it is recommended natural swales being part of a SUDS in line with SCC Policy SP47. Also concerned about potential impact of any development on the water levels in Fox Glen Local Wildlife Site.

- If this development was to be granted, then a condition should be that the development should allow the passage of hedgehogs through the site – due to the reduction of the ecological corridor.
- The development would result in the loss of agricultural buildings which may result in the loss of swift habitats. Recommend the inclusion of swift bricks as well as more general bird and bat boxes as mitigation.
- It is recommended that a Construction Ecological Management Plan (CEMP) and Ecological Management Plan be conditioned given the proximity to the LWS.

Second round of consultation:

The majority of the comments state that the revisions do not overcome their initial objections to the proposal to develop the site for housing, particularly with regard to highway safety, loss of open space, flooding and impact on protected species. While some commentators are pleased that the amended proposals now retain the majority of the farmhouse and stone barn, most raise the same issues as referred in the original submitted comments, and as such it is not considered necessary to list them again.

- The proposal to leave the ancient farmhouse and attached barn is a positive but this is negated by the proposal to remove the gable end and part of the living quarters of the house.

Additional comments have been received from Friends of Wood Royd Road and the Campaign for the Protection of Rural England (Peak Park), who did not make comments in the first round of consultation. These are summarised below.

Friends of Wood Royd Road objected to the application for the following reasons:

- There are over 100 objections to this application to build on ancient green fields.
- Wood Royd Farm is one of the original farms along the valley sides that the modified application now plans to retain but demolish its gable end. This constitutes damage to a heritage asset and building on its associated green fields causes significant harm to its natural setting.
- Wood Royd is part of a green link that runs up the hillside and includes Fox Glen Local Wildlife Site and Hollin Busk, that separates Stocksbridge from Deepcar. This application would eliminate the lower part of this green link.
- This application does not accord with Sheffield City Council Policy in relation to using brownfield land first and there are already 3 large housing developments on nearby brownfield land at Fox Valley, Deepcar (Wharncliffe Park) and Oughtibridge.
- Following refusal at Hollin Busk (12 votes to 1) and Wiggan Farm (9 votes to 3), the Planning Committee should maintain a consistent approach on heritage green fields and refuse this application.

- Access to local infrastructure is already strained and this development incorporates no plan to mitigate for the additional demand on services that it proposes to create.
- Traffic on Wood Royd Road is already extremely heavy. When buses come out of Armitage Road onto Wood Royd Road, they block both roads completely because of the tightness of the corner and parked cars. Cars regularly mount the pavements on this corner to avoid buses, causing great danger to pedestrians. The proposed development would perhaps add another eighty-four cars a day into this junction.
- There is a blind hill summit just before the junction and the new road.
- The extra traffic from the development would join Carr Road, a main arterial Road taking traffic from both Stocksbridge and Deepcar onto Manchester Road. It is already backed up in the rush hours and the junction with Manchester Road cannot cope with the number of cars, buses and logging wagons at present.
- The application includes photos which may paint a different picture to the reality faced by the residents and users of Wood Royd Road.
- The site, grassland with bordering woodlands, performs an important natural flood management function absorbing and slowing the flow of water. Whilst this site has been classified as low flood risk, it is surrounded by areas of medium and high flood risk and the value of this site as a natural run off soakaway cannot be overestimated.
- The topography of this site is very steep and it falls away from Wood Royd Road leading water down the hill towards Clough Dike eventually joining the Don. The NPPF states that ‘cumulative impacts’ in areas susceptible to flooding and the future impacts of climate change must be taken into account when considering development and there is no evidence that the increasing cumulative impacts have been fully considered in the documents attached to this application. The drainage strategy acknowledges this when it states that further investigations are needed to understand the drainage value of the soil and the ways in which development would inevitably change the course of run-off water.
- In mid-January, a matter of weeks ago, a generator was situated metres away from the proposed site on Wood Royd Road pumping water away to prevent flooding to nearby properties. Only one year ago the cottages bordering this site flooded. The culvert on Wood Royd Road runs very deep underground and it regularly blocks and floods. This is an ongoing issue that the Environment Agency is aware of and local Cllrs have been dealing with. Due to the costs of a permanent solution to this problem, work is currently budgeted for by the Environment Agency to take place in 6 years’ time, in the meantime it is monitored by Amey who bring in a pump when it is nearing a breach. Adding further flooding pressures to this area for all the reasons outlined would be very unwise.
- The Steel Valley Project have recently completed a £30,000 project to improve the habitat of the local Willow Tit population in the bordering woodland at Fox Glen. The Willow Tit is the UK’s most threatened resident bird on the Red List. Willow Tits need very specific wet features in their habitat to survive and thrive, as they nest in soft rotting deadwood. Water run-off from the site fields and the nearby culverts runs into Clough Dike which runs through Fox Glen. Changes to the water levels in this location could be

disastrous for the Willow Tit population and undo all the excellent work and significant investment from the Steel Valley Project.

- Bats are present on the site and are frequently spotted in large numbers. The site includes a number of dry-stone walls, which are a vibrant habitat, allow passage of small animals, and are used as a navigational tool by birds and bats.

The Campaign for Protection of Rural England (CPRE Peak District) are concerned about biodiversity and loss of open green space in this development and therefore wish to object as follows:

- This site is an area of recognised open green space, an 'other local nature site' and part of the Green Links network. It is unclear how this proposed development is consistent with the site allocation and loss of open space. In addition, many of the residents have highlighted a population of bats in the area which hold importance to the local biodiversity of the area. Thus, the proposed development would remove a significant portion and, arguably, some of the last of Deepcar's green spaces.
- Contrary to the applicant's assertion, Sheffield Council has published an up-to-date Housing Requirement assessment and reported on delivery. It does have a 5-year deliverable supply with the necessary margin. Recent delivery exceeds requirement and so is fully policy compliant. There is thus no demonstrable need to build on a recognised Open Space, as per NPPF paragraph 97.
- The saved UDP policies and Core Strategy therefore still have considerable weight where relevant and in line with NPPF, despite the applicant asserting otherwise.
- Thus, there is no overriding presumption in favour of any and all 'sustainable development' when on an allocated Open Space. In the longer term the Council should consider allocating the open space area as a Local Green Space under paragraph 99 of the NPPF. This would also help achieve paragraph 8c of the NPPF (the environmental objectives of sustainable development).
- The proposals are contrary to CS47 and the saved UDP policies as there will be substantial loss of locally cherished landscape, ecological value and biodiversity. The Council are entitled to have regard to this in considering the NPPF whilst weighing the planning balance.
- We very much endorse the objections made by other parties and we urge the Council to refuse the current proposal.

Councillor Julie Grocutt states that her previous objections still stand. While welcoming the fact that the farmhouse and barn would remain, the detrimental impact of this development cannot be understated. She also points out that the emerging Sheffield Plan features sustainability and the use of brownfield sites as favoured building areas for the future and that during periods of heavy rainfall, SCC have to bring generators onto the site to pump water away from the cottages to prevent flooding.

## 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 which was adopted in 1998. The National Planning Policy Framework published in 2018 and revised in February 2019 (the NPPF) is also a material consideration.

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, and that 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:

- i) The application of policies in the NPPF which relate to protection of certain areas or assets of particular importance which are identified in the NPPF as such (for example SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provide a clear reason for refusal; or
- ii) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

Paragraph 12 of the NPPF makes it clear that a presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making.

Paragraph 13 of the NPPF confirms that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. Therefore, the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

In addition to the potential for a policy to be out of date by virtue of inconsistency with the NPPF, paragraph 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.

As Sheffield can demonstrate a five year housing supply the most important policies in the determination of this application are not automatically considered to be out of date. The most important local policies in the determination of this application, which in this case revolve around housing land supply, highway related impacts, design, amenity, flood risk and landscape impacts.



Set against this context, the development proposal is assessed against the relevant policies in the development plan and government policy contained in the NPPF.

It is considered that the main issues relevant to this application are as follows:

- The Principle of Development – Policy and Land Use.
- Highway Issues.
- Design and Landscaping Issues and Impact on the Character and Appearance of the Surrounding Area.
- Ecology and Biodiversity Issues.
- Flooding/Drainage Issues.
- Effect on the Residential Amenity of Neighbouring Properties.
- Ground Conditions and Coal Mining Legacy.
- Heritage and Archaeology Issues.
- Affordable Housing.
- Sustainability Issues.
- Community Infrastructure Levy (CIL).
- Other Issues.

#### The Principle of Development – Policy and Land Use

The application site covers two land use designations, the upper western section of the site (approximately 40%) is situated within a Housing Area and the lower eastern section (approximately 60%) is situated within an Open Space Area as set out on the UDP Proposals Maps. On account of the site's dual designation, it is necessary to assess the application against policies listed within both the Housing and Leisure and Recreation Chapters of the Sheffield Unitary Development Plan (UDP). Consideration is also given to policies in the Sheffield Development Framework Core Strategy (2009) and government policy contained in the NPPF.

The application site would not fall within the definition of previously developed land and would be classed as greenfield since the definition of previously developed land in the glossary to the NPPF excludes land that is or was last occupied by agricultural buildings.

#### The Housing Area

In Housing Areas, housing (Use Class C3) is listed as the preferred use under UDP Policy H10. The supporting text to this policy states that housing is preferred in existing housing areas because the areas generally provide adequate living conditions already, and as new housing needs a large amount of land, the release of sites in Housing Areas would reduce demand for building on greenfield sites and open spaces in the built-up area.

UDP Policy H14 sets out conditions that development in Housing Areas are expected to meet. These include at part a), that new buildings are well designed and would be in scale and character with neighbouring buildings, at part c) the site would not be over-developed or deprive residents of light, privacy, and at part d), it would

provide safe access to the highway network and appropriate off-street parking and not endanger pedestrians.

UDP Policy H15 relates to the design of new housing developments. This policy amongst other things states that new housing will be expected to provide easy access to homes and circulation around the site for people with disabilities, provide adequate private gardens or communal open space to ensure that basic standards of daylight, privacy and outlook are met for all residents

The application should also be assessed against Core Strategy Policies CS23, CS24, CS26 and CS33.

Policy CS23 sets out locations for new housing and says that new housing development will be concentrated where it would support urban regeneration and make efficient use of land and infrastructure. In the period between 2008/09 to 2020/21, the main focus will be on suitable, sustainably located sites within, or adjoining the main urban areas of Sheffield and the urban area of Stocksbridge/Deepcar.

In terms of Policy CS23, notwithstanding the site's open space designation in the UDP, the application site is located within the urban area of Deepcar and therefore would comply with this policy.

Policy CS24 states that priority will be given to the development of previously developed sites and that no more than 12% of dwelling completions will be on greenfield sites between 2004/05 and 2025/26.

Policy CS26 seeks the efficient use of housing land and sets out density ranges that new housing developments should achieve. The density ranges are based on a range of factors but primarily based on the site's proximity to services and public transport. The policy does allow development outside the specified ranges set out within the policy, but only where they achieve good design, reflect the character of an area or protect a sensitive site.

In relation to Policy CS24, the Council's latest figures show that of all housing completions, over 95% of these have been on previously developed sites. The proposal to erect 41 dwellinghouses across the full site would therefore comply with this policy. CS24 is considered to be broadly consistent with government policy contained in the NPPF, where it states in paragraph 117 that policies should set out a strategy for meeting need in such a way that 'makes as much use as possible of previously-developed or brownfield land.' However, while the NPPF actively promotes the reuse of brownfield land, it does not specifically advocate a 'brownfield first' approach.

In relation to Policy CS26, the site is located in an area where a density in the order of 30 to 50 dwellinghouses per hectare should be achieved. This policy is broadly consistent with government guidance contained in the NPPF where, at paragraph 122, it promotes the efficient use of land subject to the consideration of a variety of factors including housing need, availability of infrastructure/sustainable travel modes, desirability of maintaining the areas prevailing character and setting, promoting

regeneration and the importance of securing well designed and attractive places. Also at paragraph 123 (part b) where it states that it may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range.

The proposed development of 41 dwellinghouses on this 2.35 hectare site equates to a density of approximately 17.4 dwellinghouses per hectare, which would fall below the desired density range set out in Policy CS26. However, as a large proportion of the site would remain undeveloped due to the physical constraints and sloping topography of the site, as well as the requirement to provide a 15m wide buffer between the development and the adjoining LWS, it is considered reasonable to expect a much lower density on this site, with the lower density better reflecting the character of the area. It is considered therefore that the development would not conflict with Policy CS26.

Policy CS33 relates to jobs and housing in Stocksbridge/Deepcar. It states that new housing in these areas will be limited to previously developed land within the urban area. The development of this greenfield site for housing would therefore be contrary to this policy. However, like CS24, this policy is only broadly consistent with the NPPF and is arguably too restrictive in its aims. While the NPPF actively promotes the reuse of brownfield land, it does not specifically advocate a 'brownfield first' approach and it does not exclude the development of greenfield sites. In this regard CS33 is given less weight.

In terms of the part of the development site that is located entirely within the Housing Area therefore, it is considered that there are no substantive policy objections against the erection of new housing. As previously stated, the Council is currently achieving over 95% of all housing completions on previously developed sites, and as such would not conflict with Core Strategy Policy CS24. It is considered that the proposed density range does not conflict with Policy CS26, given local circumstances. It is also considered that, while the development conflicts with Policy CS33 in relation to new housing being limited to previously developed land within the urban area, CS33 carries reduced weight in the planning balance as described above.

As such, the principle of developing the western part of the site for housing is considered to be acceptable.

#### The Open Space Area

The majority of the application site (approximately 60%) is situated on land that is designated an Open Space Area. The land is currently in agricultural use and is primarily used for grazing.

The relevant development plan policies in respect of the development of open space are UDP Policies GE7, LR5, and LR8, and Core Strategy Policies CS47 and CS72.

Policy GE7 of the UDP is concerned with the protection of the rural economy and agriculture. The permanent loss of the best and most versatile agricultural land should not be permitted, and neither should development that seriously harms agricultural activities or the viability of a farm. More up to date policy in the NPPF

(paragraph 170) requires the wider benefits of natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land - to be recognised.

Footnote 53 of the NPPF clarifies that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The best and most versatile agricultural land lies in grades 1, 2 and 3a of the Agricultural Land Classification (ALC). The weight attributed to GE7 is reduced as a result of the more flexible approach advocated by the NPPF.

The site covers an area of approximately 2.35 hectares, the vast majority of which are pastoral fields for the grazing of sheep. While the development would remove the land from agricultural use, given the location of the site, which is surrounded by development on three sides, it is not considered that the retention of the land for agricultural use can be justified. The applicant has confirmed that the land no longer forms part of any operational agricultural unit and has not been commercially farmed from the site and existing buildings for at least two generations. The outbuildings on site are not in agricultural use and the barn is being used for domestic storage purposes only. The land is occasionally used by a friend of the applicant to graze sheep, not for financial gain or remuneration, but as a favour and to maintain the appearance of the site. The economic impact of the loss of the site is therefore low and to an extent counterbalanced by the economic benefits derived from the proposed development. Furthermore, as the land is grade 4 (poor quality) in accordance with the ACL, the development would not result in the loss of the best and most versatile agricultural land that the NPPF seeks to protect.

There are no policy objections to the loss of the outbuildings and area of grazing land.

UDP Policy LR5 relates to development in Open Space Areas and lists a number of criteria where development will not be permitted. These include, where the development would:

- cause damage to mature or ancient woodland or result in a significant loss of mature trees.
- significantly detract from the green and open character of the Green Network.
- make an open space ineffective as an environmental buffer.
- result in over-development or harm the character of an area.
- harm the rural character of a wedge of open countryside.
- the proposed use would be incompatible with the surrounding land uses.

Open space is defined within the UDP as ‘a wide range of public and private areas’. This includes parks, public and private sports grounds, school playing fields, children’s playgrounds, woodland, allotments, golf courses, cemeteries and crematoria, nature conservation sites, other informal areas of green space and recreational open space outside the confines of the urban area. On the Proposals Map, areas over 0.4 hectares are normally defined as Open Space Areas or are included in the Green Belt.

The application site is part of a privately owned area of open countryside. It is used as grazing land and is not accessible to the public. The site's value to the local community is the visual amenity afforded by its open character and appearance from public vantage points located outside the site, along with views from private residential properties. As the site has no public access, the visual amenity afforded by its open character can only relate to views over it from surrounding vantage points.

Turning to the consistency of UDP policy LR5 with the NPPF, the key issue to consider is whether an area of inaccessible land, allocated as open space but valued only for its visual amenity from public vantage points outside the site, falls within the definition of open space in the NPPF annexe. The second issue leading from this is whether NPPF paragraph 97 applies; this relates to open space.

The NPPF annexe defines open space as: 'All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity'. The use of the word 'and' indicates that the site has to offer an important opportunity for sport and recreation and if it does, it can also make a contribution to visual amenity i.e. visual amenity itself is not a reason for it being classed as open space. The site has no public access and does not provide any opportunities for sport or recreation.

Visual amenity is not a standalone function of open space as per the NPPF annexe definition and NPPF paragraphs 96 and 97 which relate to open space cannot apply to land valued only for visual amenity.

Furthermore, NPPF paragraph 97 cannot apply to land primarily safeguarded for its visual amenity because open space protected for its visual amenity could never be deemed surplus to requirement (NPPF paragraph 97a) or be replaced by equivalent or better provision (NPPF paragraph 97b). Therefore, the protection of land for visual amenity alone is not consistent with the open space policies of the NPPF.

On this basis, it is considered that UDP Policy LR5 goes beyond the requirements of the NPPF and any element of it relating to the protection of open space for visual amenity alone is not consistent with the NPPF and can only carry limited weight.

As policy LR5 forms part of the statutory Development Plan, the application is still assessed against its criteria below but within the context that this policy can only be given limited weight in the decision making process.

While the proposal involves the loss of open fields, it is not considered that it would conflict with the broad list of conditions in policy LR5 which restricts development in open space areas. The development would not cause damage to mature or ancient woodland, or result in a significant loss of mature trees across the site. The development would not cause damage to a nature conservation site, with the amended indicative plan incorporating a buffer (minimum distance of 15m) between the site and the adjacent local wildlife site. The site is not of such quality that it is of city-wide importance and it would not be overdeveloped, as the built form including

gardens and roads represents about 60% of the total site area, with the remaining area laid as a central open green space, wooded margin and buffer zone. Moreover, owing to its location within the built-up area of Deepcar, the development would not harm the rural character of a wedge of open countryside.

UDP Policy LR8 relates to development in local open spaces and details that development will not be permitted, where it would involve the loss of recreation space which: i) serves a Housing Area and where provision is at or below the minimum guidelines; ii) is in an area where residents do not have easy access to a Community park; or iii) provides a well-used or high quality facility for people living or working in the area.

Policy LR8 is not considered to be applicable with respect to this application since this policy relates to the loss of recreation space. The site is not used for recreational or leisure purposes, but instead is in use for the grazing of animals for agriculture.

Core Strategy Policy CS47 seeks to safeguard open space by restricting development in instances where there would: a) be a quantitative shortage of either informal or formal open space in the local area; b) it would result in the loss of open space that is of high quality or of heritage, landscape or ecological value; c) it would deny people in the local area easy or safe access to a local park or to small informal open space that is valued or well used by people living or working in the local area; or d) it would cause a break in the city's Green Network.

As Policy CS47 relates to specifically to the 'Safeguarding of Open Space', and the application site does not fit into any of the formal or informal categories of open space defined in paragraph 9.26 of the Core Strategy (outdoor sports facilities, parks, accessible green spaces and countryside and areas for informal recreation etc), Policy CS47 cannot therefore apply to the application and the scheme cannot be assessed against it.

Core Strategy Policy CS72 relates to protecting countryside not in the Green Belt. It says that the green, open and rural character of areas on the edge of the built-up areas but not in the Green Belt will be safeguarded through protection as open countryside, including at part d), south of Stocksbridge (at Hollin Busk).

Policy CS72 does not make specific land allocations and protects countryside for its own sake i.e. it is a restrictive policy and in effect places an outright bar on development in the countryside. It was adopted within a national planning policy context of restriction where there was sufficient land for housing within the district and additional housing land did not need to be found.

The policy approach in CS72 is not consistent with the NPPF, which does not protect countryside for its own sake (i.e. it does not impose outright restrictions on development in countryside) but instead requires that all decisions recognise the intrinsic character and appearance of the countryside.

On this basis, it is concluded that policy CS72 goes beyond the requirements of the NPPF and can only carry limited weight.

However, as policy CS72 forms part of the statutory Development Plan, the application is still assessed against it but within the context that any conflict can only be given limited weight in the decision making process.

Policy CS72 relates to countryside situated on the edge of built-up areas. Unlike land at Hollin Busk, the application site is contained by built development on three sides and is not open countryside or land that is situated on the edge of the built-up area.

Officers acknowledge that the application site is highly valued by local residents and recognise the ecological and environment benefits of open spaces within built up areas. As set out within the supporting text to UDP Policy LR4, Sheffield is a relatively green city, reflecting both its topography and historical development. It goes on to say that open spaces are an important part of the character of Sheffield and enhance the quality of urban life.

The UDP also recognises that because these areas are not built on, they are subject to many pressures from development, particularly those which are in private ownership. Many open spaces contain valuable wildlife, geological and archaeological sites, or are part of the Green Network, with the most valued including long established parks, sites that contain mature or ancient woodland and those that provide an important contribution to the setting of a listed building.

Whilst the application site provides some ecological and environmental benefits discussed further below, it comprises of low quality agricultural land (grade 4) which is not publicly accessible and so cannot be used for either recreation or sport by people living or working in the area. The site therefore fails to meet the purposes of open space areas as defined in the NPPF, and the categories of open space defined in paragraph 9.26 of the Core Strategy, and its protection cannot be justified when assessed against government policy in this regard.

However, the development of the site for housing would, as proposed, include provision of an enhanced and publicly available open space area (approximately 2750 square metres), a wooded margin of 5,500 square metres and would be adequately set back from the LWS to prevent any adverse effects on this established woodland and its ecological and environmental value. The overall built up area, including private gardens, would amount to approximately 60% of the site area, with the remaining land laid out as formal and informal open space.

### Housing Land Supply

Chapter 5 of the NPPF relates to delivering a sufficient supply of homes and states at paragraph 59 that, to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward where it is needed.

Paragraph 73 of the NPPF expects local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing.

The Council, as of December 2020, is able to demonstrate a 5.4 year supply of deliverable housing sites. However the delivery of up to 41 houses on this site would make a valuable contribution to the delivery of housing in the city, to which it is considered weight should be given in the planning balance.

## Highway Issues

The NPPF (paragraphs 102 to 111) promotes sustainable transport. Paragraph 109 makes it clear 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.

Core Strategy Policy CS51 relating to the strategic priorities for transport includes maximising accessibility, containing congestion levels and improving air quality and road safety. Policy CS53 relating to the management of demand for travel includes implementing travel plans for new developments to maximise the use of sustainable forms of travel and mitigate negative impacts of transport, particularly congestion and vehicle emissions.

UDP Policy H14 part (d) requires development to not endanger pedestrians, provide safe access to the highways network and appropriate off-street parking. Policy H15 (Design of New Housing Developments) identifies that easy access to homes and circulation around the site for people with disabilities or with prams should be provided.

The local plan policies are considered to align with the NPPF.

Outline planning permission is sought for up to 41 dwellinghouses, with all matters reserved except for access.

Wood Royd Road is a single carriageway road subject to a 30mph speed limit. The existing access to the site comprises of a narrow farm track set between two stone pillars located to the south of no.s 9-11 Wood Royd Road. In the vicinity of the site, several residential properties on both sides of the carriageway have direct driveway access and in many cases residents have to reverse out into the carriageway due to the lack of on-site turning.

There are no parking restrictions along Wood Royd Road in the vicinity of the site and many residents park on-street, in particular along the western edge of the carriageway where there is a continuous footway. On the eastern side of the carriageway there is a long gap in footpath provision to the north of the site access.

The proposed site access measures 5.5 metres in width, in order to allow two cars to pass and refuse vehicles to enter the site, with 1.8 metres wide footways provided on either side. The footway would tie into the existing provision to the south of the site, and then be extended along the site frontage to the north.

The centreline of the proposed access has been positioned 20 metres to the north of the Wood Royd Road and Armitage Road junction, in accordance with Section B.3.1 of the South Yorkshire Residential Design Guide, on streets with design speeds over



20mph, where the minimum junction spacing is 40 metres for same side junctions and 20 metres for opposite side junctions.

By demolishing part of the barn, as amended, the proposed access achieves a visibility splay to the north of 2.4 metres by 41 metres, 1.3 metres off-set from the channel, and 2.4 metres by 43 metres to the south. The brow of the hill on Wood Royd Road is sufficiently far north to have no bearing on the available visibility from the site access.

Objectors have raised the issue of existing on-street parking effectively reducing the width of Wood Royd Road to single-file traffic, and of parked cars potentially obstructing visibility to and from the proposed site access.

As mentioned above, on-street parking to the north of the proposed junction occurs on the western side of Wood Royd Road. As there is not the width to park on both sides of the road (and there is no footway on the eastern side), sightlines to and from the proposed site access to the north will be generally free from obstruction. To the south of the proposed site access, the on-street parking flips to the eastern side of Wood Royd Road. Vehicles leaving the development site would be able to edge towards the centreline in the road to optimise the view of oncoming traffic before fully pulling out safely.

Recorded personal injury accidents have been reviewed for the past 5-year period. One slight injury was sustained during that timeframe, at the junction of Carr Road with Wood Royd Road (150 metres south of the development site). It involved three vehicles, but no vulnerable road users. All accidents are regrettable, but no personal injury accidents have occurred in close proximity to the development site. There have been no personal injury accidents recorded at the Armitage Road junction.

The application site is situated within the residential conurbation of Deepcar and a good range of facilities are available within walking distance. The document titled 'Providing for journeys on foot' published in the year 2000 by The Institute of Highways and Transportation quotes 'acceptable' and 'maximum' walking distances to different types of destination. For schools, the distances are 1000 and 2000 metres respectively (acceptable and maximum). Stocksbridge High School is 1700 metres away. Deepcar St John's Junior School 500 metres away.

Deepcar Medical Centre is 450 metres away, a similar distance for groceries, takeaways and a newsagents. There is a children's playground 120 metres away and there are bus stops within easy walking distances for service numbers 23/23a, 57 and SL1/SL1a.

Objectors also raised concerns about the volume of traffic likely to be generated by the development and the ability of the local highway network to accommodate any increases.

Trip generation from the development (based on 42 houses) was derived from TRICS, which predicted 5 arrivals and 13 departures (18 two-way trips) during the

weekday morning peak 0800 to 0900 hours, and 13 arrivals and 8 departures (21 two-way trips) during the weekday evening peak of 1700 to 1800 hours.

Officers agreed with objectors that these flows seemed an under-estimation of the likely generation so they were assessed against background survey work for a recent residential development on the edge of Stannington serving 84 family houses, where the surrounding neighbourhood has similar characteristics to the application site.

The survey found that the peak hour two-way trip rates were 24% higher than the TRICS data contained in the Transport Assessment. While officers are currently unable to undertake any comparator surveys close to the Deepcar application site (as they wouldn't be representative), applying the 24% increase from Stannington to the 41 houses in Deepcar would give 22 two-way trips during the morning peak and 26 two-way trips during the evening peak. These are still low flows and would not materially impact on the circulation of traffic on the local highway network.

Considering the above, and as this is an outline planning application dealing only with the principle of access, from a highway perspective there are no substantive objections to the development of the site for up to 41 dwellinghouses subject to the imposition of conditions to secure necessary highway improvements and visibility splays.

#### Design and Landscape Issues and Impact on the Character and Appearance of the Surrounding area

Chapter 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development, which creates better places in which to live and work. Paragraph 127 states that, amongst other things, planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

The relevant policies of the development plan in respect of design and layout of new housing development are UDP Policies BE5, H14, and H15 and Core Strategy Policy CS74.

Policy BE5 seeks to ensure good design and the use of good quality materials in all new and refurbished buildings and extensions. The principles that should be followed include encouraging original architecture where this does not detract from the scale, form and style of surrounding buildings and that designs should take advantage of the site's natural features.

UDP Policy H14 relates to conditions in Housing Areas, and at part (a), states that new buildings should be well designed and in scale and character with neighbouring buildings.

UDP Policy H15 relates to the design of new housing developments and amongst other things states that ease of access to homes and circulation around the site for people with disabilities and prams will be expected, as would adequate private

gardens to ensure basic standards of daylight, privacy and outlook for all residents.

Core Strategy Policy CS74 (Design Principles) expects high-quality development that respects, takes advantage of and enhance the distinctive features of the city, its districts and neighbourhoods including, at part (c), the townscape character of neighbourhoods with their associated scale, layout and built form, building styles and materials.

Within the vicinity of the site entrance, the character of the area is one of traditional two-storey stone housing. Although there is some variation across the wider area, the predominant material is coursed local gritstone that in most instances has darkened as a result of years of pollution.

As stated, the application has been submitted in outline, with all matters reserved except for access. Matters of appearance, siting and design will therefore be subject to a separate Reserved Matters application. Nevertheless, as part of this outline application, the applicant has submitted a Design Guide and indicative layout drawings that would provide a clear steer of how the site could be developed.

The site would be accessed from Wood Royd Road to the southern side of the now retained farmhouse. The site's existing single storey farm buildings would be demolished.

The main access road would extend in a eastwardly direction through the central part of the site, following the upper edge of the adjacent woodland then arching in a northerly direction towards the north-eastern edges of the site. From the main access road, two secondary access roads would branch off to form two smaller cul-de-sacs, the first in a southward's direction serving eleven dwellinghouses (Plots 31-41) and the second in a northerly direction serving fifteen dwellinghouses (Plots 07-21). The layout also includes a green corridor running north-south, the purpose of which is to help manage the layout given the sloping topography of the site whilst creating an attractive setting for the new homes. The layout plan shows the central green corridor would cover an area of 2,750 square metres, the wooded margin some 5,500 square metres, and the 15m buffer zone some 1,390 square metres.

As set out in the Design Guide, the proposed layout seeks to respect and positively respond to the site's existing landscape, particularly the heavily wooded boundaries that provide an attractive woodland fringe to the east and south. To protect the woodland, the houses along the southern boundary would be positioned not less than 15m from the woodland edge and further planting is proposed along the site's northern and eastern boundaries.

The proposal includes a mixture of detached and terraced housing. The house types are envisaged to be traditional in form, principally 2-storey in height with pitched roofs not less than 30 degrees.

In terms of materials the Design Guide states that the secondary access roads would be surfaced in permeable block paving. The houses would be constructed largely using local coursed stone, with stone heads and cills, factory finished timber windows and doors and be roofed with natural blue slate. Boundary walls would be

natural stone to match the houses. It is envisaged that stone salvaged from the removal of the natural stone field boundaries would be reused as boundary walls and landscaped features within the public realm.

The front section of the existing farmhouse (approximately 4m) would be demolished, in order to achieve improved sight-lines to Wood Royd Road, and the materials used to extended to its eastern side. Works to the farmhouse and adjoining barn would be subject to a full planning application as they fall outside the scope of this outline application.

It is considered that the site can reasonably accommodate up to 41 dwellinghouses with a range of house types that would sit comfortably within the context of the site and not unduly harm the character of the surrounding area.

The use of natural stone and slate is welcomed as is the careful treatment of the site's boundaries and incorporation of an open space area and landscaped buffer to provide a soft edge to the adjoining woodland.

It is considered therefore that development would therefore comply with Policies BE5, H14 (a) and H15, and Core Strategy Policy CS74.

#### Ecology and Biodiversity Issues

Policy CS74 of the Core Strategy expects high-quality development that respects and enhances the distinctive features of the city including its Green Networks, important habitats, waterways, woodlands, and other natural features.

Policy GE11 of the UDP seeks to protect and enhance the natural environment and promote nature conservation. UDP Policy BE6 requires new development to provide a suitable landscape scheme with regards to new planting and/or hard landscaping and details of existing vegetation that is to be removed or retained.

Paragraph 170 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. 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 Framework and therefore retain substantial weight.

The site has been subject to a Preliminary Ecological Appraisal Report (PEAR) which identified that it comprises largely of poor semi-improved grassland.

The survey found that the existing trees on site had negligible potential for roosting bats and of the ten buildings on site, including the farmhouse and barn, three were classified as having moderate bat roosting habitat potential, five low and two negligible. During nocturnal bat surveys carried out on site (one dusk emergence and one dawn re-entry survey), no bats were recorded roosting at the site, with the author of the report stating that the surveys indicate that bat roosting is not actively taking place. The report does however advise that due to the transient nature of bat

roosts, works should take place within 12 months of the survey (which has now passed) otherwise two further nocturnal surveys of the buildings with moderate potential should be carried out prior to any demolition work. No evidence of the roost in the barn referred to by objectors was found, but the barn is now being retained in accordance with the amended scheme.

No nesting bird activity was recorded during the survey; however it is possible that the site will support active bird's nests during the bird nesting period. The Wildlife and Countryside Act gives general protection to wild birds and it is illegal to disturb wild birds while they are nesting.

Though the habitats on site are suitable for reptiles none were recorded, and there were no badger setts or field signs observed during the survey.

The report identifies the importance of Fox Glen Woods LWS, which is designated for its ancient woodland, and notes that nearby south and south-east facing gardens risk introduced species encroaching into the ancient woodland. It recommends that a 15m buffer be maintained between the LWS and the proposed development in line with Natural England guidance (2019). The revised scheme features a 15m landscape buffer between the development and the LWS as recommended.

SCC Ecologists have confirmed that they are generally satisfied with the report's findings and that the application does not raise any specific constraints from habitat values in respect of the proposed development.

In relation to biodiversity net gain (BNG), as this is an outline application with all matters (except for access) reserved and there is no agreed layout from which to calculate habitat loss, it is considered necessary to condition baseline BNG calculations and assessment and for these to be delivered at reserved matters stage, along with follow up protected species and reptile surveys.

With appropriate mitigation measures, it is considered that any effect on protected species and habitats as a result of the development would not be significant.

#### Flooding/Drainage Issues

UDP Policy GE17 relates to rivers and streams. It states that as part of the development of the Green Network, all rivers and streams will be protected and enhanced for the benefit of wildlife and, where appropriate, for public access and recreation. This includes not permitting the culverting of any river or stream unless necessary and setting back new development to an appropriate distance from the banks of rivers and streams to allow for landscaping. The UDP defines an appropriate distance as being 8 metres in the case of major rivers and streams.

Core Strategy Policy CS 67 (Flood Risk Management) seeks to reduce the extent and impact of flooding by requiring all developments to significantly limit surface water run-off, to use Sustainable Drainage Systems (SuDS) or sustainable drainage techniques, and to ensure that any highly vulnerable uses are not located in areas at risk of flooding.

These development plan policies are broadly consistent with government policy contained in NPPF which states, at paragraph 155, that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.

The application was accompanied by a Flood Risk Assessment (FRA) which states that the application site is in Flood Zone 1 (at low risk of flooding from fluvial and tidal sources) and there are no open watercourses located within the site area.

Clough Dike, a main river, flows adjacent to the site's south-eastern site boundary and flows underground in two culverted sections. This culvert is a masonry structure with a stone slab soffit which is approximately 5m below ground at the upstream-end and 20m below ground at the downstream-end.

The FRA shows that the site is generally unaffected by surface water flooding. However, there is an overland flow path originating from an off-site area along Armitage Road, to the west of the site boundary, which crosses the site in a north-easterly direction. The LLFA also commented that recent incidents of flooding in the area caused by the exceedance of Clough Dyke confirm that overland flow routes do impact on the site.

The FRA states that based on the underlying geology, hydrogeology and soils, it is anticipated that the site has limited potential for infiltration, although this would need to be ascertained through testing. In addition to the soil composition, owing to the steep fall in levels across the site, the use of infiltration features such as soakaways is likely to be limited.

An attenuation-led drainage strategy is therefore proposed by the applicant, with SuDS features to capture, contain and convey surface water run-off to an appropriate and available discharge receptor. The FRA details that the proposed layout would allow the conveyance of surface water across and from the site, that the surface water drainage strategy for the proposed development would include measures for the management of impacts on the surface water run-off regime, and that the drainage strategy could also be used to help manage the surface water flood risk.

The surface water drainage strategy provided for the proposed development adheres to the sustainable drainage hierarchy and also incorporates sustainable drainage systems (SuDS). Although not established at the moment, if a surface water drainage connection from the site to Clough Dike could be achieved, then a discharge into this watercourse at an attenuated rate is suggested. If this is not possible, the FRA suggests a drainage connection from the site to one of the surface water sewers in the area.

The FRA states that, with the incorporation of a sustainable surface water drainage strategy, the proposed development can manage the quantity and quality of surface water runoff. Options for the discharge receptors have been identified and considered in accordance with the sustainable drainage hierarchy and further consultation and detailed design would be required for the discharge receptor at detailed stage. The FRA also recommends that the finished floor levels of buildings

should be elevated above surrounding ground levels by at least 150mm.

The Environment Agency (EA) initially stated that the FRA was unacceptable and did not adequately assess the development's flood risk. The FRA failed to identify the exact location of the Clough Dike culvert and no details were provided to ascertain whether the proposed development would increase the loading on the culvert structure.

The applicant sought to address the concerns raised by the EA and submitted further information regarding the location of the culvert, including photographs showing its entry and exit points. These photographs indicate that the culvert runs to the south and outside the boundary of the site. In response to the additional information provided by the applicant, the EA withdrew their objection subject to a condition requiring that no development take place within 35m of the Clough Dike Culvert.

Yorkshire Water have recommended that if granted, conditions be imposed that include no building or other obstruction be located over or within 4m either side of the centre line of the public sewer, the use of separate systems of drainage for foul and surface water on and off site, and that no piped discharge of surface water from the development be allowed until the completion of surface water drainage works.

The LLFA has confirmed that the proposed range of SuDS techniques are acceptable, subject to arrangements for the management of all surface water infrastructure.

While the development would lead to the hard surfacing of a large proportion of the site, a detailed drainage scheme should ensure that there are no significant harmful impacts from surface water run-off. The proposal is therefore acceptable in principle from a drainage perspective.

#### Effect on the Residential Amenity of Neighbouring Properties

UDP Policy H14 (c) expects sites not be overdeveloped or development to deprive residents of light, privacy or security and, at part (k), to not lead to air pollution, noise, smell, excessive traffic levels or other nuisance for people living nearby. This is reflected in paragraph 127(f) of the NPPF, which states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

As the application has been submitted in outline with all matters reserved except for access, the applicant has only submitted an indicative plan of how the site could be developed to accommodate 41 dwellinghouses.

The properties likely to be most affected by the development include a small group of dwellinghouses that are situated to the north and south of the existing farmhouse. However, the indicative plan shows that appropriate garden sizes and privacy distances can be achieved that would comfortably accord with the guidance contained in the SPG Designing House Extension. A more detailed assessment of amenity issues will be carried out at reserved matters stage when the proposed

layout, scale and external appearance of development is known.

No. 17 Wood Royd Road lies to the southern side of the proposed access road and has ground and first floor windows within its side elevation facing the access road. The residents of this property would experience some increased noise disturbance resulting from the increased use of the reconfigured access road, however it is considered that the impact would not be so significant as to warrant a refusal on amenity grounds. A distance of approximately 7m would be maintained between the side elevation of no.17 and the nearest part of the vehicular access, which together with appropriate acoustic boundary treatment and/or planting should prevent any significant noise disturbance over and above that already experienced from traffic on Wood Royd Road.

Based on the above, it is considered that the development would not significantly impact on the residential amenity and living conditions of neighbouring properties.

#### Ground Conditions and Coal Mining Legacy

The application site is situated within a Development High Risk Area for former coal mining activities, meaning that an assessment needs to be undertaken to establish whether there are coal mining features and hazards which may impact on the proposed development.

The application was accompanied by a Coal Mining Risk Assessment (CMRA) which explains that the risks to the proposed development would stem from coal seams being worked at shallow depth and the presence of a recorded mine entry. The report recommends that intrusive investigations be carried out in the form of trial pit/rotary boreholes in order to establish the depth and conditions of any coal seams, as well investigate the exact location and condition of the on-site mine entry.

The Coal Authority has stated that they agree with the recommendations of the report in that there is a potential risk to the development from former coal mining activity as well as from mine gas. The Coal Authority has stated that they have no objection subject to the imposition of conditions that require intrusive site investigations to be carried out, and if necessary remedial/mitigatory measures to ensure that the site is, or can be made safe and stable for the proposed development.

The Council's Environmental Protection Service (EPS) confirmed that the application site shares a boundary with adjacent land that has been identified as potentially contaminated due to a former use as a quarry and brick works. The site is also in close proximity to other areas identified as potentially contaminated due to its former use as a quarry (presumed infilled) and historic landfill sites. Additionally, as the site falls within an area known for former coal mining activities, there is potential for the presence of contaminants and/or ground gases which could impact upon human health and/or the environment.

It is therefore considered necessary for the full suite of land contamination conditions to be attached in the interests of remediating any known or found contamination on site.



## Heritage and Archaeological Issues

Paragraph 189 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. It goes on to say that when weighing up proposals that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The applicant submitted a Heritage Impact Assessment (HIA) which was updated during the course of the application in response to comments received from South Yorkshire Archaeological Service (SYAS) and the decision of the applicant to retain the two-storey stone barn that was initially proposed to be demolished,

The HIA states that the site does not include any designated heritage assets, and does not lie within a designated area or within the setting of any designated heritage assets.

Wood Royd Farm is a linear farmstead that dates from the late 18<sup>th</sup> century. The HIA found that the main range has retained its overall structural form but has undergone considerable repair and extension over its lifetime. The outbuildings are deemed to be of limited interest. It goes on to say that there is moderate potential for the proposed development to impact upon archaeological remains within the site, with these likely to be associated with the 18<sup>th</sup> and 19<sup>th</sup> century mining and farming activities.

The HIA concludes that the development will result in the partial loss of the linear farmstead and associated outbuildings, which would amount to a minor degree of harm to the architectural and historical interests of Wood Royd Farm. The report also states that there would be a moderate to high degree of harm to the ability to experience the architectural and historic interest of Wood Royd Farm through the development of the open pastoral fields.

It is accepted that there would be some minor harm to the significance of the farmhouse, a non-designated heritage asset, as a result of the loss of the front section of the building in order to achieve improved sight lines at the site entrance. However, it is considered that this would not diminish the integrity or character of the building. It is also considered that, while the open pastoral fields associated with the former farmstead offer a degree of historic association, this does not justify retention of the land at the expense of developing the site for housing.

The South Yorkshire Archaeology Service has recommended that their standard condition be attached to any grant of outline permission that sets out a strategy for archaeological investigation in the form of a Written Scheme of Investigation (WSI).

Subject to this being attached, it is considered that the requirements of Paragraphs 189 and 197 of the NPPF would be met.

### Affordable Housing

Core Strategy Policy CS40 expects developers of housing developments in all parts of the city to contribute to the provision of affordable housing, where practicable and financially viable. Guideline GAH3 of the CIL and Planning Obligations Supplementary Planning Document (December 2015) sets out circumstances where the Council may accept a commuted sum in lieu of an on-site contribution, for instance, where significantly more affordable housing of a high quality could be provided in the local area through off-site provision.

In the Stocksbridge/Deepcar Affordable Housing Market Area it has been shown that 10% affordable housing is viable on the majority of sites, and is therefore the expected developer contribution for this part of the city.

The application was accompanied by an Affordable Housing Statement that details that the applicant is agreeable to the provision of affordable housing in accordance with development plan policy and within the definition of Annex 2 of the NPPF subject to an independent viability assessment when details are confirmed.

The mechanism for securing the provision of affordable housing cannot be done by planning condition, and instead must be secured by legal agreement. The applicant has therefore agreed to enter into a legal agreement with the LPA in order to secure the delivery of 10% affordable housing provision, and has provided officers with a draft legal agreement.

The Council's Strategic Housing Section has confirmed that, based on the 10% contribution rate, this would equate to four affordable units, and recommends on-site provision of one 2-bed, two 3-bed and one 4-bed units for Affordable Rent (the tenure which the current transfer rate is based on).

### Sustainability Issues

A Sustainability Statement was submitted with the application which sets out the requirements of Core Strategy Policy CS65, including the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy.

The Sustainability Statement states that it is not possible to identify detailed measures to ensure how the 10% requirement would be delivered, although it does say that this is expected to be achieved through the use of solar panels/photovoltaics cells. The requirements of Core Strategy Policy CS65 can be

secured by planning condition.

The application site is situated in a sustainable location with a range of shops and services within walking distance. A regular bus service runs along Carr Road.

### Community Infrastructure Levy

The Council has adopted a Community Infrastructure Levy (CIL) to provide infrastructure to support new development. Mostly CIL replaces some previous payments negotiated individually as planning obligations, such as contributions towards the enhancement and provision of open space (UDP Policy H16) and towards education provision (Core Strategy Policy CS43).

The site falls within CIL Charging Zone 3 (north west). Within this zone there is a CIL charge of £30 per square metre.

### Other Issues

Environmental Protection Service (EPS) advises that the development is of a scale that would warrant a Construction Environmental Management Plan (CEMP) to manage and minimise local impacts on amenity and other environmental impacts. The content of the CEMP, which is secured by condition, would place a restriction on working hours (0730 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturday) as well as controls over noise and dust emissions.

EPS also advise that good acoustic design should be informed by an Initial Site Noise Risk Assessment, as per the best practice guidance contained in PPG: Planning & Noise (May 2017). These matters can also be secured by planning condition.

## **HEAD OF TERMS**

The applicant will enter into an agreement with the Council to secure the delivery of affordable housing equivalent to 10% of gross floor space of total number of units

## **SUMMARY AND RECOMMENDATION**

The application relates to Wood Royd Farm, a former farmstead and adjoining fields that are situated to the east of Wood Royd Road in Deepcar.

The application site is situated within both a Housing Area and Open Space Area as set out on the Sheffield Unitary Development Plan Proposals Map.

Outline planning permission is being sought to erect up to 41 dwellinghouses, with all matters reserved except for access.

As amended, the proposal includes the partial demolition of the farmhouse and the retention of the adjoining stone barn.

The principle of erecting housing within the designated Housing Area is acceptable

and there is no policy objection to development on the greenfield land given the Council is currently achieving over 95% of all new house completions on brownfield sites.

In relation to the erection housing within the designated Open Space Area, it has been found that the development would not conflict with UDP Policy LR5, and that LR5 can only be given limited weight as the elements of it relating to the protection of open space for visual amenity alone are not consistent with the NPPF.

Policies LR8 and CS47 are not considered to be applicable with respect to this application since LR8 relates to the loss of recreation space, the site is used for grazing, and application site does not fit into any of the formal or informal categories of open space defined in the Core Strategy.

Policy CS72 relating to countryside situated on the edge of built-up areas goes beyond the requirements of the NPPF and can only carry limited weight, but in any case the proposal doesn't conflict with it because the application site is contained by built development on three sides and is not open countryside or land that is situated on the edge of the built-up area.

The proposals would provide an enhanced area of open space of some 2,750 square metres within the development site, as well as a landscape buffer that would ensure minimal impact on the adjoining local wildlife site.

It is considered that the development would not result in unacceptable impacts on highway safety and that the residual cumulative impacts on the road network would not be severe.

There are no policies of restriction within the NPPF which set out a clear reason for refusing consent and NPPF paragraph 11di) is not therefore triggered by the application proposals.

Whilst a number of local plan policies carry reduced weight, the majority of the most important local policies in the determination of this application, which in this case revolve around housing land supply, highway related impacts, design, amenity, flood risk and landscape impacts, do, when considered as a collection, align with the NPPF. As such the tilted balance set out in section dii) of paragraph 11 is not applied in this instance.

It is therefore recommended that outline planning permission is granted conditionally and subject to a legal agreement.

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Case Number	20/03663/FUL (Formerly PP-09160482)
Application Type	Full Planning Application
Proposal	Erection of 15 storey tower containing 103 no. 1-3 bed apartments with swimming pool and gym at ground floor level, landscaped podium deck at level 1, vehicle parking beneath and associated landscaping
Location	Site Of Former Forte Posthouse Hotel Manchester Road Crosspool Sheffield S10 5DX
Date Received	20/10/2020
Team	South
Applicant/Agent	Axis Architecture
Recommendation	Grant Conditionally 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 must be carried out in complete accordance with the following approved documents:

24072-000-RevA (Location Plan) published 11 Feb 2021  
24072-(01)03-RevJ (Site Plan) published 11 Feb 2021  
24072-(02)00-RevR (Site plan of Level 0) published Oct 2020  
24072-(02)00-01-RevH (Site plan of Level 0) published Oct 2020  
24072-(02)00-02-RevG (Tower Car Park) published Oct 2020  
24072\_(02)01-01-REVG (Site plan of Level 0) published Oct 2020  
24072\_(02)01-02-REVH (Tower car park) published Oct 2020  
24072\_(02)T0-PL-RevG (Floor plan level 0) published Oct 2020  
24072\_(02)T1-PL-RevF (Floor plan level 1) published Oct 2020  
24072\_(02)T2-PL-RevE (Floor plan level 2) published Oct 2020

24072\_(02)T3-PL-RevB (Floor plan level 3) published Oct 2020  
24072\_(02)T4-PL-RevB (Floor plan level 4) published Oct 2020  
24072\_(02)T5-PL-RevB (Floor plan level 5) published Oct 2020  
24072\_(02)T6-13-PL-RevD (Floor plan level 6-13) published Oct 2020  
24072\_(02)T14-PL-RevA (Floor plan level 14) published Oct 2020  
24072\_(03)01.02-RevF (GA Sections) published Oct 2020  
24072\_(03)02.02-RevF (GA Sections) published Oct 2020  
24072\_(03)03.02-RevC (GA Sections) published Oct 2020  
24072(04)01-RevZ (NE-Elevation) published Oct 2020  
24072(04)02-RevY (SW-Elevation) published Oct 2020  
24072(04)03-RevW (SE-Elevation) published Oct 2020  
24072(04)04-RevX (NW-Elevation) published Oct 2020

Reason: In order to define the permission.

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

3. No demolition and/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.

4. No development 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.

5. No development 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