

DEVELOPMENT SERVICES

REPORT TO NORTH AREA PANEL

20 MARCH 2007

THE DEVELOPMENT OF PLANNING POLICY FOR THE HOLLIN BUSK SITE

1. PURPOSE OF THE REPORT

- 1.1 To inform members of North Area Panel about the detailed history of the development of planning policy for the Hollin Busk Site and the background behind the Additional Option for the future of Hollin Busk (AST1) now being considered as part of the preparation of the Core Strategy for the Sheffield Development Framework.
- 1.2 This report supplements information contained in the Additional Options for the Core Strategy Report that the City Council approved in February 2007 for the purposes of Consultation during the six weeks period commencing 16 February and ending 30 March 2007.

2. BACKGROUND

- 2.1 The site has several owners and since the Draft Stocksbridge District Plan was published in 1979, there has been pressure for the site's residential development. The value of the central portion of the site as open space has not been disputed, but, the local community has waged a long campaign to have the whole site added to the Green Belt.
- 2.2 After a long history of changing land use designations and allocations (from the Stocksbridge Urban District Town Map in 1963 to the Unitary Development Plan adopted in 1998), the site's future is being reconsidered as part of the preparation of the Core Strategy for the Sheffield Development Framework. The Core Strategy has undergone two rounds of public consultation (Emerging Options and Preferred Options) before the current Additional Options consultation. During preparation of the Core Strategy various options have been put forward for the future of Hollin Busk.
- 2.3 North Area Panel Members considered the Additional Options for the Core Strategy Report at their Briefing Meeting held 6 March 2007, which included a verbal report on the purpose and contents of all of the Additional Options and their impact on North Area Panel.

- 2.4 At the meeting, during discussion of the Additional Option proposed for Hollin Busk, it became clear that some of the Members were not aware of the history behind the Hollin Busk site and it was felt that the lack of information was impeding their ability to come to a view. The Chair requested preparation of this report to be presented alongside the Additional Options report for the Core Strategy to a special public meeting of North Area Panel to be held in Stocksbridge at the earliest convenient date before the end of the consultation period.
- 2.5 This report explains the planning history of the site, describes the circumstances that have led to the site's Open Space Area designation in the adopted Unitary Development Plan and gives details of the options that have been considered for the site during the preparation of the Core Strategy for submission to Government Office and subsequent approval.

3. SITE DESCRIPTION

- 3.1 The site is situated at the southern fringe of the built up areas of Deepcar and Stocksbridge and measures approximately 43 acres (See site plan in Appendix 1). It is relatively level when compared to the majority of Stocksbridge and is intersected by a valley from the south west to the north east linking up with Fox Glen and Clough Dike.
- 3.2 The site is rural and agricultural in character with low walls forming field boundaries. The most significant group of trees are on the east of the site, adjoining Royal Farm, which is a listed building. These trees are protected by a Tree Preservation Order. Residential development that is within a Housing Area designation adjoins the site to the north east and north west. The southern boundary adjoins open countryside in the Green Belt.

4. THE EMERGENCE OF THE DRAFT UNITARY DEVELOPMENT PLAN POLICY FOR HOLLIN BUSK

- 4.1 Hollin Busk was unallocated on the Stocksbridge Urban District Town Map prepared 1963. On the Draft Stocksbridge District Plan of September 1979 the land was identified as a possible location for private residential development.
- 4.2 A figure of 400 dwellings on new sites in Stocksbridge during the District Plan Period was agreed by the inspector at the District Plan Inquiry, March 1982. This figure was also supported by the South Yorkshire County Council in a provisional update of housing need forecasts using preliminary information from the 1981 census.
- 4.3 Of the 400 houses, 162 were to be provided on land at either Hollin Busk or Townend Lane, depending on the outcome of site investigations, after 1986 in each case.

- 4.4 At the Stocksbridge District Plan Inquiry the discussion concerned the exclusion of the Hollin Busk Site as a residential development site due to drainage problems, the detrimental effects on Fox Glen and the fact that the site was not included in the Draft Green Belt to allow some long term flexibility.
- 4.5 The Inquiry Inspector concluded that the site problems should not preclude development subject to detailed consultation with Yorkshire Water Authority. Some development could take place especially on the site fringes and phased release on the remainder. The Inspector also added that the central area should be reserved as open space.
- 4.6 The site's non-designation as Green Belt was subjected to scrutiny at the Sheffield Green Belt Inquiry held between 29 June and 23 July 1982. the inspector observed that Hollin Busk was of greater value as open countryside than Townend Lane but that it did not necessarily mean that the site should be included within the Green Belt in order to ensure that the recreational potential of the central area portion was developed. The Inspector made no implication that the site should be developed for housing considering that this should be left to the District Plan to determine.
- 4.7 After the Stocksbridge District Plan Inquiry the Council recommended that site investigations should be undertaken. As a result of these investigations and taking into account local opposition, the Council decided to adhere to the policy of non allocation during the plan period. The Stockbridge District Plan was adopted by Council in May 1984. The site was left unallocated for any type of use and was thus classified as 'white land' (See Appendix 2 - Stocksbridge District Plan Proposals Map Extract).
- 4.8 Hollin Busk was specifically referred to in policy 3.2.8:

“LAND WHICH IS NOT INCLUDED IN THE GREEN BELT IS ANTICIPATED WILL NOT BE DEVELOPED DURING THE PLAN PERIOD.

This policy applies to land at Hollin Busk which has been excluded from the Green Belt to allow flexibility of housing provision beyond the plan period. Until then the land is expected to remain in its present use”

- 4.9 Housing land completions between 1981 and 1990 were examined and showed that none of the sites allocated for housing on the District Plan had been developed (Coppice Close, Pen Nook II and Townend Lane). Thus a considerable reserve of allocated housing land remained.

- 4.10 The Draft Sheffield Unitary Development Plan published in February 1991 took this shortfall in development into account in policy H12 and it was proposed that, although Hollin Busk is recognised as a housing site, it should not be developed until other sites with planning permission or allocated within Stocksbridge, Middlewood, Oughtibridge and Wharncliffe Side were no longer available.
- 4.11 The Draft Unitary Development Plan also included an area designated as Open Space Area at Hollin Busk, which equated to the central portion of the area referred to in the District Plan and Green Belt Inspectors reports. It was of such a size that it retained as much of the area's open character as possible whilst retaining viable development areas and effectively split the area into two large potential development sites (See Appendix 3, Draft Unitary Development Plan Proposals Map Extract).
- 4.12 The phasing provision was intended to strike a balance between the suitability of the site for residential development in the long term and its recognised value as an area of open space.
- 4.13 The Stocksbridge District Plan, being the only statutorily adopted Plan for the area, remained in force as the development plan for the area until the Unitary Development Plan was adopted.

5. THE ENTREPRISES CHARLAMAND DEVELOPMENT PROPOSAL

- 5.1 A Planning Application was submitted (reference 89/03538/OUT (formerly 89/3037P)) at land between Carr Road, Hollin Busk Lane and Broomfield Lane, Deepcar for residential development and construction of new roads and sewers. It was submitted 4/12/1989 by Entreprises Charlamand, a development company based in France.
- 5.2 An officers report to a special meeting of the North Sub Committee of the Planning and Transportation Programme Committee on 14 November 1990 recommended that the planning application be approved subject to conditions and signing of a legal agreement. Planning permission was subsequently refused by members for the following reasons:
- “ 1. *The Local Planning Authority consider that the proposal would result in significant environmental intrusion and damage to the ecology of the area, particularly Fox Glen, thereby representing a serious reduction in the amenities currently enjoyed by a large number of people.*
2. *The proposal is contrary to policy 3.2.8. of the adopted Stocksbridge District Plan and it is considered that there are other sites in the locality which are suitable for residential development involving considerably less environmental intrusion and ecological damage.*”
- 5.3 The applicants appealed against the decision (Appeal Reference 90/00030/DCAPEL) on the basis;

- that officers recommended in their report to the Planning Committee considering the application

“ ... that in the light of local planning policies, government guidance, housing land allocation and general planning considerations of the proposal the application be approved subject to the conditions specified below and the appropriate legal agreements indicated.”

- the disinclination of the Inspector in the Green Belt Inquiry in June 1982, to include the Appeal site in the Green Belt,
- the detailed reasoning of the Stocksbridge District Plan Inspector in March 1982, why the appeal site should not be excluded from residential development,
- the Council's decision to adhere to the policy of non-allocation (for residential use) during the plan period 1981-1991 principally until an examination of the drainage aspects of possible site development,
- the Stocksbridge Town Council's preference for the Appeal site to be developed for housing rather than the sites at Pen Nook and Townend Lane, and
- identification in the Draft Stocksbridge District Plan of 1979 as being suitable for residential development.

5.4 The Planning Appeal Inspector's report on the planning application dismissed the appeal on the grounds that;

- there was no justifiable need at that time for additional residential development based on the then 15 year supply of land,
- sufficient housing land had been allocated in Stocksbridge District Plan to meet housing needs,
- the suggestion that the Council should use compulsory purchase powers to facilitate the availability of such land was not a realistic or practical proposition,
- there was, therefore, no overriding support for the proposal in terms of statutory planning policies for the area.

5.5 But, in dismissing the appeal the Planning Inspector made some fundamental comments relating to the site's Green Belt functionality.

- In her opinion, the site:

“ is a most attractive area of open land which still, despite its proximity to the urban areas, exhibits a predominantly rural character and appearance. The small fields bounded by dry stone walls and gentler undulations of land create in her view a typical hill farming landscape”.

- She was convinced that despite the findings of a previous inspector, this open area separates the communities of Stocksbridge and Deepcar and that if development was to proceed the two settlements would merge.
- She found that the land performs an important role in linking the open Green Belt land to the south with Fox Glen to the east and open land to the north of Broomfield Lane.

“ In so doing an open wedge is created leading into the heart of the built up area. This latter role is recognised in the Nature Conservation Strategy. The proposed public open space across the centre of the site would retain a link between Fox Glen but not with the land to the north”.

- The third and very important role of the Appeal site:

“ is the contribution it makes to the character and landscape of the area. I find that from Hollin Busk Lane there are extensive views across the open fields of the appeal site. The Prominence of the appeal site in the landscape and its role as a forefront to the valley and hills beyond is even more pronounced when viewed from the higher land to the south”.

- 5.6 She considered that the appeal proposal would damage this character and, even if the proposed open space was increased, that these objections would not be overcome. She concluded that:

“ the appeal proposal would be severely detrimental to the character of the area and to the quality of the environment of local residents”.

- 5.7 She added that she understood the appellants' dismay that despite a favourable recommendation from the Director of Planning it was rejected by Council, but the reasons for rejection were very sound and supported by evidence.

6. CONSIDERATION OF PLANNING POLICY FROM THE DEPOSIT VERSION TO THE ADOPTED UNITARY DEVELOPMENT PLAN FOR HOLLIN BUSK

- 6.1 The Planning Inspector for the Charlamand Entreprises Planning Appeal's findings clearly suggested that the site performed Green Belt functions as stated in Planning Policy Guidance Note 2 (PPG2) and placed great emphasis on the importance of the land's open and rural character in her decision. Given that there was sufficient housing land allocated to serve the city's/area's needs and the land's significant value as open land, officers reconsidered the land's allocation for development in the Deposit Unitary Development Plan published January 1993.

- 6.2 This reconsideration by officers resulted in the two Housing Site allocations being removed from the site in the Deposit Version of the Unitary Development Plan and the whole site being designated as Open Space Area. This meant that the site was protected from development by Deposit Unitary Development Plan policies LR4, LR5 and LR7 (See Appendix 4 Deposit Unitary Development Plan Map extract).
- 6.3 The proposed changes in the Deposit Unitary Development Plan Proposals Map received objections from E. Payne (Objection no. 243.2), A. Ibbotson, (Objection no. 382.2), V. Grainger (Objection no. 535.1) and R. Cheetham (Objection no. 823.4) who argued that the site should be included within the Green Belt.
- 6.4 A contrary objection was received from a Consortium of Land Owners (Objection no. 883.2) who argued that Hollin Busk should not be designated as Open Space Area, it should be mainly a Housing Area, as originally shown in the 1991 Consultative Draft Plan together with the establishment of an Open Space Area to form a Green Link between Fox Glen and the Green Belt at Hollin Busk Lane.
- 6.5 The Public Inquiry was held between 28 March 1995 and 15 March 1996 at Sheffield Town Hall.
- 6.6 The Inspector's Report on the Unitary Development Plan Inquiry, published in March 1997, dealt with the Green Belt issue first, it stated:

“ Looking first at the Green Belt issue, in dealing with site-specific objections to the green environment chapter, I note that the Council, after taking legal advice, decided on the grounds of consistency not to pursue a number of its own proposed amendments to Green Belt. Advice in PPG2 is that existing Green Belt boundaries should only be changed in exceptional circumstances. In my view none have been advanced in this case by those objectors who are seeking the inclusion of the site within the Green Belt. Whether or not the site should be so included is a matter for the Council in any review of the Green Belt.”

- 6.7 In terms of the Consortium of Land Owners objection, the Inspector thought that the green belt function of the site separating Stocksbridge and Deepcar was akin to the purposes of Green Belt and that this aspect was a matter for Green Belt review, but he stated:

“ In terms of policy LR4, the OSA (Open Space Area) designation, by keeping the land open between parts of the urban area, can make a valuable contribution to the quality of life for residents of the locality and visitors to it.”

- 6.8 The inspector accepted the 1991 planning appeal Inspector's view that the site does have a role to play in linking the Green Belt to Fox Glen and to open land to the north of Broomfield Lane. He recognised its value as a welcome "wedge" of open land and he also recognised its ecological importance as identified in the Nature Conservation Strategy. He saw no convincing evidence to suggest that benefits of the Strategy are not important and applicable with respect to the site. In the Inspector's view;

" the site does have an intrinsic value as open land, sufficient to justify its designation as an OSA."

- 6.9 The Inspector accepted the Council's City-wide housing requirement figures in total and the general range of sites and the objectors were not challenging the overall provision but they were contending that Stocksbridge, as a relatively isolated and self-sufficient community, is lacking in developable sites. The Council argued that there was capacity for 142 dwellings in Stocksbridge, and the Inspector's view was that there was no harm in widening the margin of flexibility as land supply assessments can rarely be exact. In the context of advice in PPG1 paragraph 32, the Inspector gave appropriate weight to the emerging Unitary Development Plan which is concerned with the housing requirements and land supply for the whole City. From the evidence the Inspector saw no need to look at Stocksbridge in isolation from other parts of the City.
- 6.10 The Inspector thought that, technically, residential development could be implemented on the site but that that this did not warrant the use of parts of the site for housing and unifying ownership could benefit controlling development but was not a telling reason for designating the site as a Housing Area.

- 6.11 In summing up the inspector's report stated:

" 11.114 Having looked at all the relevant planning issues presented to me, I am satisfied that the designation of the majority of the site as a Housing Area has not been justified. The proposed designation of the site as an OSA is reasonable in the context of the tests of policy LR4. I see no overriding reason not to support the intentions of the Deposit version of the Plan, as it relates to this site.

Recommendation

11.115 I recommend no modification in response to these Objections"

7. THE CURRENT POSITION

- 7.1 No Modification was required to the site's designation as a result of the Planning Inspector's report. The Unitary Development Plan was adopted in 1998 with the site shown on Unitary Development Plan Proposals Map 1 as an Open Space Area over the entire site.
- 7.2 The Council is now preparing the Sheffield Development Framework, which will replace the Unitary Development Plan as the Development Plan for Sheffield. In preparing the Core Strategy for the Sheffield Development Framework, the Council is now consulting on the Additional Options for the Core Strategy.
- 7.3 The Additional Options consultation provides consultees with an opportunity to comment on a small number of outstanding issues where:
- alternative options were not considered at the Emerging Options stage, or
 - we are considering submitting a policy that differs significantly from the Preferred Option originally consulted on, or
 - there were gaps in the Preferred Options.
- 7.4 The Additional Option for the Hollin Busk site is the result of a change in position from the Emerging and Preferred Option consultation exercises.
- 7.5 In the Emerging Options Report several options were considered on a citywide basis for changes to the Green Belt under the issue **EN1 Possible additions to the Green Belt**, these were:
- EN1a - Retain the general extent of the Green Belt boundary and keep the land in reserve for housing if or when needed to satisfy the city's land requirement in the Regional Spatial Strategy. (Small-scale changes to rectify anomalies would be made when the Proposals Map is prepared)
 - EN1b - Designate surplus greenfield land on edge of urban area as Open Space.
 - EN1c - Add existing open space and surplus greenfield land on edge of urban area to Green Belt.
- 7.6 The option was re-emphasised in the emerging options for Stocksbridge Deepcar and three options were considered for the issue **ST6 the future of Hollin Busk**, these were:
- ST6a – Use some or all of the area for housing,
 - ST6b – Add the open land to the Green Belt, and
 - ST6c – Maintain the designation as open space.

7.7 The **Preferred Options** that the Council was minded to put forward after full consideration of comments received from the Emerging Options consultation and changes in circumstances were numbered PE1 and PST3. It should be emphasised that these were still options for consultation.

7.8 **Preferred Option PE1**, a citywide option, was based on **emerging option EN1c**. The premise was that Green Belts are intended to be permanent and amended only in exceptional circumstances, but, it was the appropriate time to check this out as advice contained in the draft Regional Spatial Strategy was that localised review may be necessary in some areas but only if justified by exceptional local circumstances. Several additions to the Green Belt were proposed for consultation. **Preferred Option PE1** states:

“Preferred Option PE1

Existing open areas at Hollin Busk and Holbrook Colliery and surplus greenfield housing land on the edge of the urban area (east of Woodhouse and at Mosborough Village and Moor Valley) will become part of the Green Belt.

The areas fulfil Green Belt functions and are not required as long term housing sites, as the City’s requirements can be met almost entirely on brownfield sites. They are in relatively unsustainable locations for housing development although on the edge of the urban area.

The following options have been rejected:

- *Designating these areas as Open Space*
- *Adding other greenfield land at Owlthorpe to the Green Belt”.*

7.9 **Preferred Option PST3** was consistent with preferred option PE1 and the emerging option for Stocksbridge and Deepcar ST6. It states:

“Preferred Option PST3

Greenfield land south of Stocksbridge at Hollin Busk will be added to the Green Belt.

The land is proposed as an addition to the Green Belt as it makes an important contribution to the rural character of the area and clearly performs a Green Belt function by preventing the settlements of Stocksbridge and Deepcar from merging. There is no foreseeable need for greenfield land for housing development in the area and new housing will be provided on some of the industrial land now no longer needed.

The following options have been rejected:

- *Use some or all of the area for housing*

- *Maintain the designation as open space.*

- 7.10 The designation was also shown on the emerging options for the Proposals Map (see Appendix 5).
- 7.11 In considering the Green Belt issues, the Additional Options report, proposes a change of position for Hollin Busk from the preferred option PST3, which is the same as the previously rejected emerging option “ST6c - *Maintain the designation as open space*” and “EN1b - *Designate surplus greenfield land on edge of urban area as Open Space*”. The **Additional Option AST1** states:
- “Additional Option AST1***
- The green, open and rural character of greenfield land south of Stocksbridge at Hollin Busk will be safeguarded through protection as open space.***
- 7.12 Our current thinking continues to be that Hollin Busk should be protected from development and that it potentially serves Green Belt functions. The local case continues to be strong.
- 7.13 However, the strength of the Green Belt is its permanence and this is achieved only by making changes to the boundary in exceptional circumstances. Otherwise, any review should be strategic and comprehensive. On reconsideration, we do not think that the partial additions originally proposed can be sustained without opening up the case for a wider review including deletions as well as additions. We do not consider that the circumstances exist to justify such a full review.
- 7.14 We are still proposing to make changes where the current boundary is quite clearly anomalous, e.g. where it no longer satisfies the requirement of Government policy that it should be identifiable on the ground. But we have come to the conclusion that, despite the clear local merits of including the locations indicated in the Core Strategy Preferred Options, this would open the way to objections that we had failed to consider all the options for Green Belt change. A case could reasonably be made out that in view of the tighter balance between housing requirements and land supply at least corresponding deletions from the Green Belt should have been made. This could only be done as part of a more comprehensive review of the Green Belt and would potentially delay adoption of the Core Strategy.

7.15 It is therefore proposed that Hollin Busk is protected as open green space rather than new Green Belt. This protection would be supported by the strategic policy not to expand the built-up area, by the citywide policies giving priority to brownfield development and by retaining the related area policies (see Preferred Option PST1) that explicitly safeguards the area. This would be reinforced by the designation on the Proposals Map. The outcome on the ground for the area would be the same as envisaged with the Preferred Options but it would be achieved without putting other areas of Green Belt at risk from demands for change.

8. SUMMARY

8.1 The following is a summary of the development of planning policy and planning history for the site up to its adoption in 1998 as an Open Space Area in the Unitary Development Plan and the development of policy options for the Sheffield Development Framework Core Strategy up to the Additional Option now being considered.

- The site was unallocated on the Stocksbridge Urban District Town Map 1963.
- The Draft Stocksbridge District Plan 1979 identified the site as a possible location for housing.
- The site was not included in the Green Belt in the Draft Green Belt Plan and after scrutiny at the Green Belt Plan Inquiry in 1982, its value as open land was acknowledged but it was not designated as Green Belt. Instead, the decision to designate the site for housing was left for the District Plan to determine. The site was therefore excluded from the Green Belt in the adopted Green Belt Plan 1983.
- After scrutiny at the Stocksbridge District Plan Inquiry, Stocksbridge District Plan was adopted in 1984, with the site unallocated in order to allow flexibility of housing provision beyond the Plan Period and expecting the land to remain in its then present use until that time.
- The Draft Unitary Development Plan 1991 subsequently designated the site as two Housing Sites within the Housing Area separated by a central Open Space Area, with a provision for the site not to be developed until other sites with planning permission or allocated within Stocksbridge, Middlewood, Oughtibridge and Wharnccliffe Side were no longer available.
- Planning permission was submitted for residential development and construction of new roads and sewers in 1989. Permission was refused because it resulted in a significant environmental intrusion and it was contrary to Stocksbridge District Plan Policy 3.2.8.
- An appeal was lodged and dismissed on the grounds that the appeal proposal would be severely detrimental to the character of the area and to the quality of the environment of local residents. Emphasis was placed on the Green Belt functions of the site in the Inspectors report.

- The site was subsequently designated as Open Space Area in the Deposit Unitary Development Plan 1993.
- Objections to the site's designation as Open Space were heard at the Unitary Development Plan Public Inquiry March 1995 to March 1996. The Objections were on two grounds, first, that it should be designated as Green Belt and second, that the site should be designated as two Housing Sites within the Housing Area with an Open Space Area between them in the central portion of the Site.
- Planning Inspector's report recommended no modification to the Unitary Development Plan in response to these objections. The Unitary Development Plan was subsequently adopted with the site designated as Open Space Area.
- In preparing the Sheffield Development Framework, the emerging options for the Core Strategy considered various options including using some or all of the area for housing, or adding the open land to the Green Belt, or maintaining the designation as open space.
- The Preferred Options for the Core Strategy proposed adding the site to the Green Belt after the Draft Regional Spatial Strategy suggested that consideration might be given to whether circumstances existed to change Green Belt boundaries.
- The Additional Options propose designating the site as open space i.e. maintaining the status quo, for the same reasons as presented to the Inspector in the Unitary Development Plan Inquiry in 1997. Although the local case is strong for adding the site to the Green Belt, making the change would weaken the permanence of the Green Belt by opening the case for a full review of the Green Belt boundary. We do not believe that exceptional circumstances exist to justify such a review.

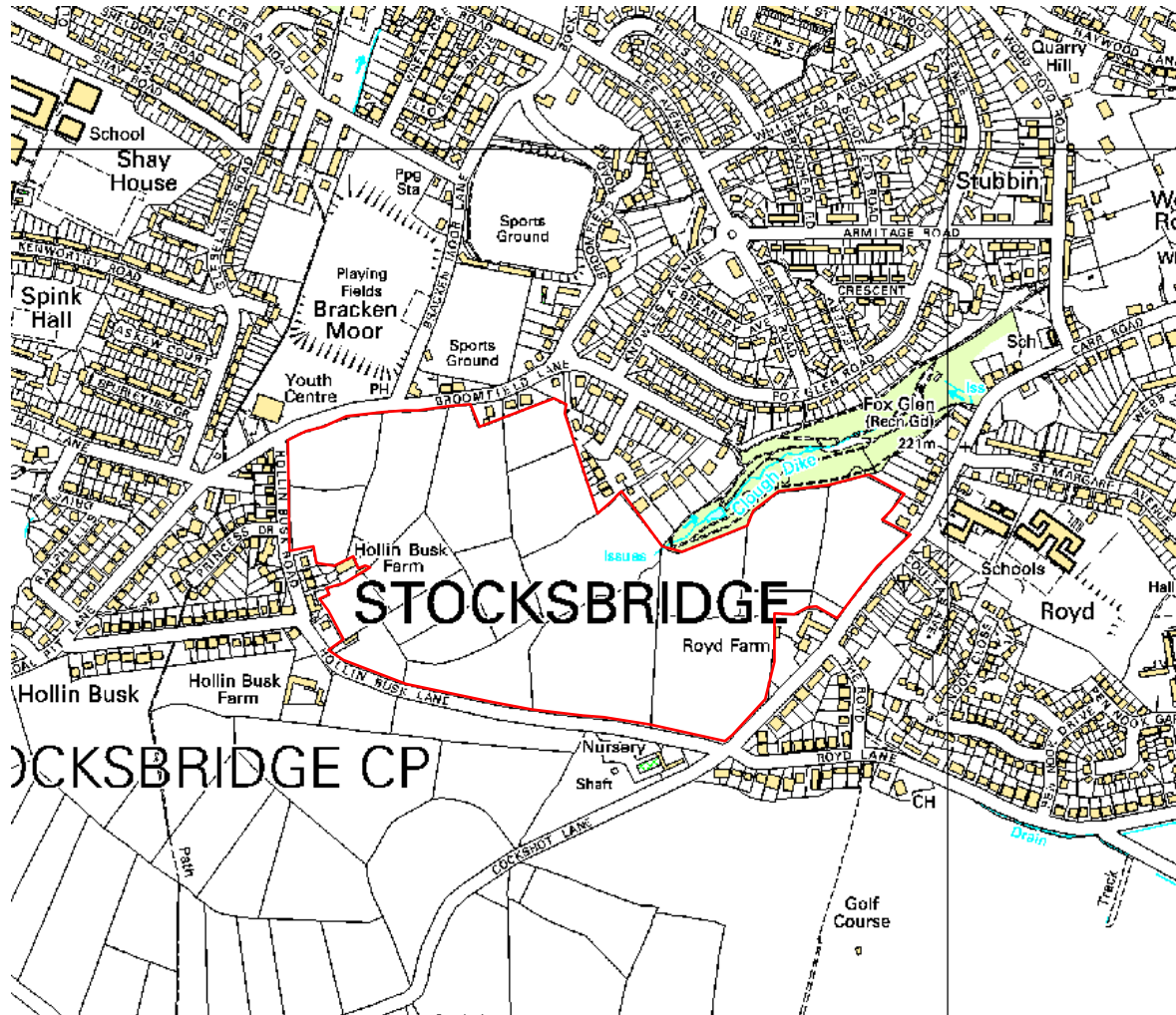
9. RECOMMENDATIONS

- 9.1 It is recommended that North Area Panel Members note the above information as an aid to their consideration of the Additional Option AST1 proposed for Hollin Busk.

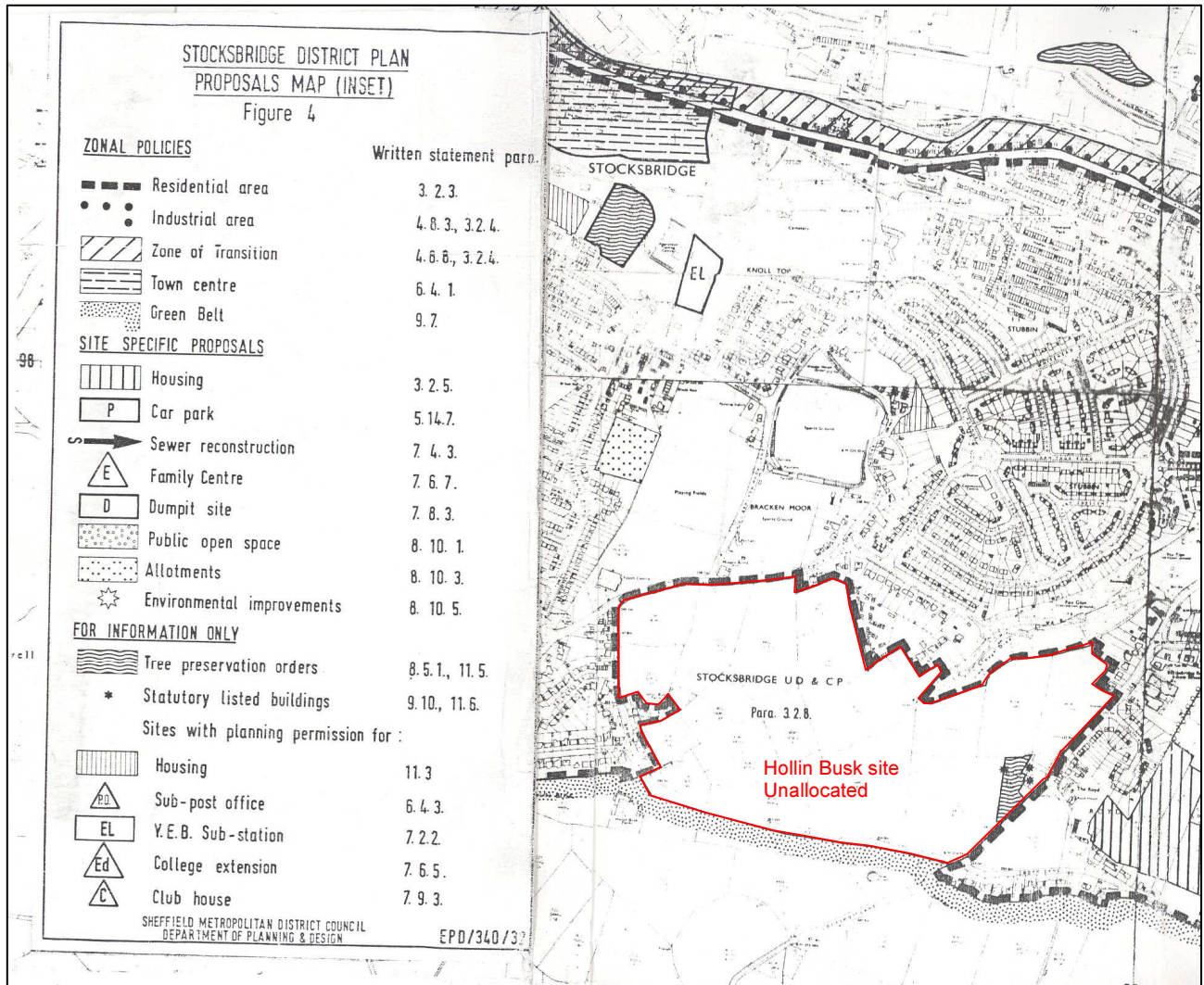
Les Sturch
Head of Planning Division
Development, Environment and Leisure

Friday, 16 March 2007

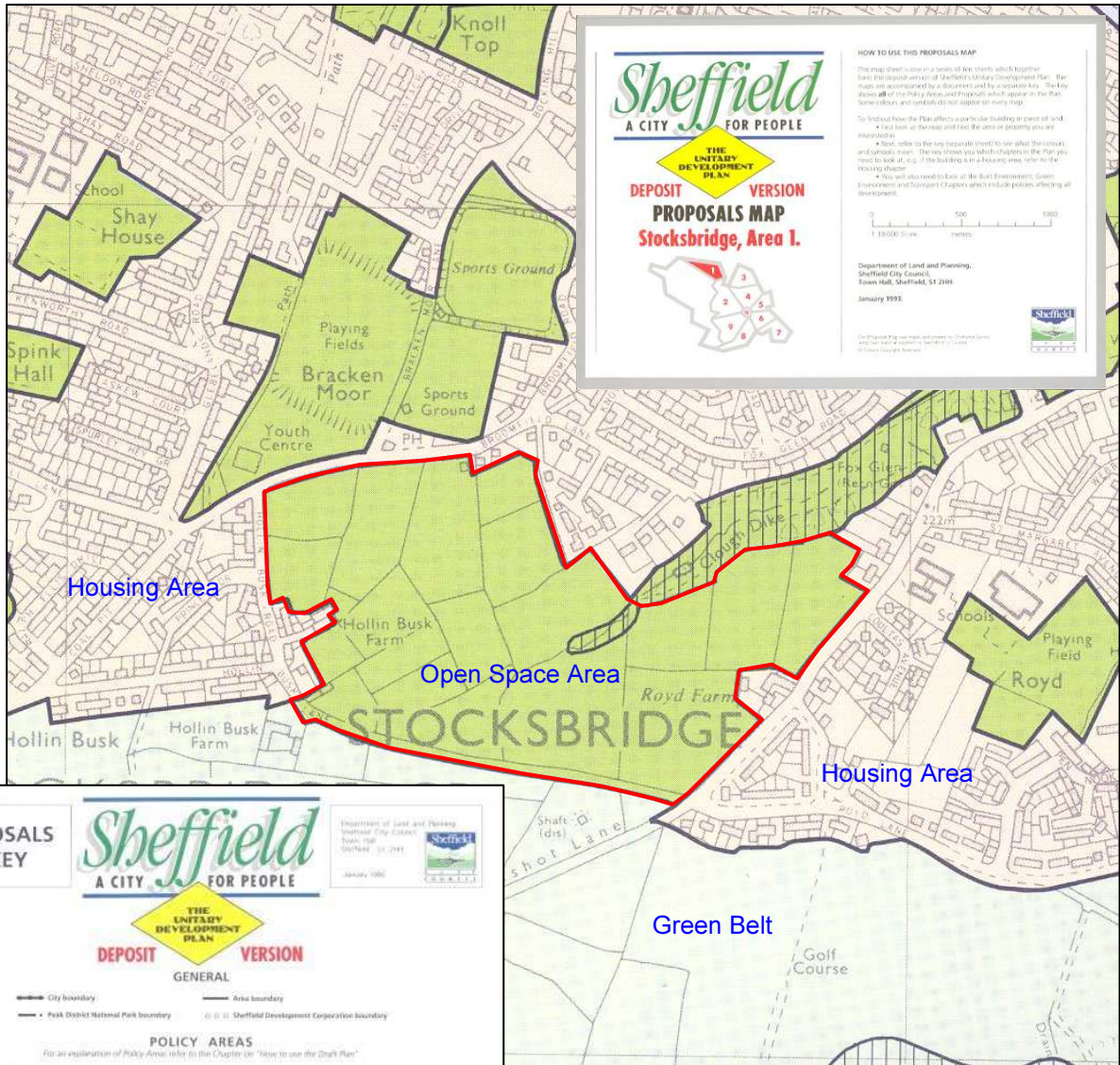
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