

Case Number	18/03367/OUT (Formerly PP-07229131)
Application Type	Outline Planning Application
Proposal	Outline application (all matters reserved except for access) for the erection of circa 91 dwellinghouses
Location	Land Adjacent 101 Ferrars Road Sheffield S9 1RZ
Date Received	03/09/2018
Team	City Centre and East
Applicant/Agent	Johnson Mowat
Recommendation	G 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 have been submitted to the Local Planning Authority and planning approval in respect thereof including details of (a) Appearance, (b) Landscaping, (c) Layout and (d) Scale (matters reserved by the permission) has 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. 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.

3. 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.

4. The development must be carried out in complete accordance with the following approved documents

Site access in accordance with drawing A(01)001 Rev B

Reason: In order to define the permission.

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

5. No development shall commence until details of measures to prevent surface water flooding have been submitted to and approved in writing by the Local Planning Authority. Thereafter such approved measures shall be implemented.

Reason: In order to prevent surface water flooding 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.

6. 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.

7. 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.

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

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

9. No development shall commence until a Landscape and Ecological Management Plan, including short, medium and long term aims and objectives, management responsibilities and maintenance schedules for all distinct areas, has been submitted to and approved in writing by the Local Planning Authority. The Landscape and Ecological Management Plan shall thereafter be implemented as approved.

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

10. 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.

11. No development shall take place, including any works of demolition, until a 'Development Environment Management Plan and Method Statement' has been submitted to and approved by the Local Planning Authority. The document shall include:
 - a. Details of the means of ingress and egress for vehicles engaged in the demolition and construction works of the development.
 - b. Details of the equipment to be provided for the effective cleaning of wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway;
 - c. Details of the site compound, contractor car parking, storage, welfare facilities and delivery/service vehicle loading/unloading areas;
 - d. Details of any security lighting; and
 - e. Details of measures to monitor and control the emission of dust during demolition and construction works

The development shall thereafter be carried out in accordance with the approved details.

Reason: In the interests of the amenities of the locality and occupiers of adjoining properties and the protection of the free and safe flow of traffic on the public highway.

12. 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 the development being commenced. 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.

13. 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 the development being commenced. 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.

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

14. Before the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of suitable and sufficient car parking accommodation within the site shall have been submitted to and approved in writing by the Local Planning Authority and the dwellings shall not be used unless such parking accommodation has been provided in accordance with the approved plans and thereafter such parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

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

15. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, details of the proposed surfacing, layout and marking out of the car parking accommodation shall have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be used unless the car parking accommodation has been provided in accordance with the approved plans and thereafter such car parking accommodation shall be retained for the sole use of the occupiers of the development hereby approved.

Reason: To ensure satisfactory parking provision in the interests of traffic safety and the amenities of the locality.

16. The development shall not be used unless the sight lines, as indicated on the approved plans (A(01)001 Rev B), has been provided. When such sight lines have been provided, thereafter the sight line shall be retained and no obstruction to the sight line shall be allowed within the sight line above a height of 1 metre.

Reason: In the interests of the safety of road users it is essential for these works to have been carried out before the use commences.

17. Prior to that part of the development commencing, full engineering details for the access road from Ferrars Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the road shall be constructed in accordance with the approved details prior to the development being brought into use

reason: In the interest of highway and pedestrian safety

18. Details of a suitable means of site boundary treatment shall be submitted to and approved in writing by the Local Planning Authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority and the dwellings shall not be used unless such means of site boundary treatment has been provided in accordance with the approved details and thereafter such means of site enclosure shall be retained.

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

19. 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.

20. 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.

21. 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 .
 - 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.
 - d) Include details of an acoustic fence

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 building.

22. Before the use of the development is commenced, Validation Testing of the sound 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 attenuation works thus far approved, a further scheme of sound attenuation 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.

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

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

24. A sample panel of the proposed masonry shall be erected on the site and shall illustrate the colour, texture, bedding and bonding of masonry and mortar finish to be used. The sample panel shall be approved in writing by the Local Planning Authority before any masonry works commence and shall be retained for verification purposes until the completion of such works.

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

25. Before any above ground works commence, or within an alternative timeframe to be agreed in writing by the Local Planning Authority, full details of proposals for the inclusion of public art within the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall then be implemented prior to the occupation of the development.

Reason: In order to satisfy the requirements of Policy BE12 of the Unitary Development Plan and to ensure that the quality of the built environment is enhanced.

26. Before the development is commenced, or an alternative timeframe to be agreed by the Local Planning Authority, full details of the site wide access and facilities for people with disabilities shall have been submitted to and approved by the Local Planning Authority. The development shall not be used unless such access and facilities have been provided in accordance with the approved details and thereafter such access and facilities shall be retained.

Reason: To ensure ease of access and facilities for disabled persons at all times.

27. Unless otherwise indicated on the approved plans no tree, shrub or hedge shall be removed or pruned without the prior written approval of the Local Planning Authority.

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

28. Detailed existing and proposed site levels and finished floor levels shall be submitted as part of the reserved matters application

Reason: in order to adequately characterised the site and proposed development

29. Prior to the occupation of any part of the development, a detailed Travel Plan(s), designed to: reduce the need for and impact of motor vehicles, including fleet operations; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority. Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development, where that exists.

The Travel Plan(s) shall include:

1. Clear and unambiguous objectives and modal split targets;
2. An implementation programme, with arrangements to review and report back on progress being achieved to the Local Planning Authority in accordance with the 'Monitoring Schedule' for written approval of actions consequently proposed,
3. Provision for the results and findings of the monitoring to be independently verified/validated to the satisfaction of the Local Planning Authority.
4. Provisions that the verified/validated results will be used to further define targets and inform actions proposed to achieve the approved objectives and modal split targets.

On occupation, the approved Travel Plan(s) shall thereafter be implemented, subject to any variations approved in writing by the Local Planning Authority.

Reason: In the interests of delivering sustainable forms of transport, in accordance with Unitary Development Plan for Sheffield (and/or Core Strategy) Policies

Other Compliance Conditions

30. On the submission of reserved matters applications the results of faunal survey carried out at appropriate times and following best practice shall be included to ensure that the precautionary principle is adhered and no offences in respect of protected species are committed. Surveys must include:

- Bat roost suitability surveys where structures or trees are impacted by proposed development.
- Bat activity surveys according to current best practice to identify commuting and foraging areas on the site.
- Reptile surveys using refugia according to current best practice
- Badger surveys shall be carried out within 3 months of the commencement of construction activities.
- Water vole surveys shall be carried out within 3 months of construction activities commencing.
- Otter survey carried out prior to construction activities commencing and during construction activities as advised by surveying ecologists.

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

31. On the submission of the first reserved matters application, an ecological enhancement plan shall be submitted to the Local Planning Authority for approval in writing. This plan shall include details of the following measures, all of which shall be implemented prior to the first occupation of the site or an alternative timescale to be approved in writing by the Local Planning Authority:

- A buffer zone is established to protect bat commuting routes during construction and after occupation.
- The siting of 10 No. bird boxes in trees and dwellings. These bird boxes to be of varied design to attract a range of bird species.
- The siting of 5 No, bat boxes in retained trees or dwellings of the Vincent design or similar.
- A landscape scheme incorporating a range of native species as listed in report.
- Garden access for hedgehogs throughout the development.

Reason: To ensure the ecological interests of the site are maintained

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. The applicant is advised that the plans submitted with this application, can only be treated as indicative and illustrative for the purposes of this application due to the fact that this is an outline application with in relation to (a) Appearance, (b) Landscaping, (c) Layout and (d) Scale reserved for future consideration. There are a number of design/highways issues with the indicative layout as detailed in the email sent on the 14th December which need to be addressed in order to achieve a successful scheme
3. The applicant is advised that in order to comply with Core Strategy Policy CS41 'Creating Mixed Communities', no more than 50% of dwellings should be of any one type (e.g. three bed dwellings). The indicative details submitted do not comply with this requirement.
4. 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

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.

5. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

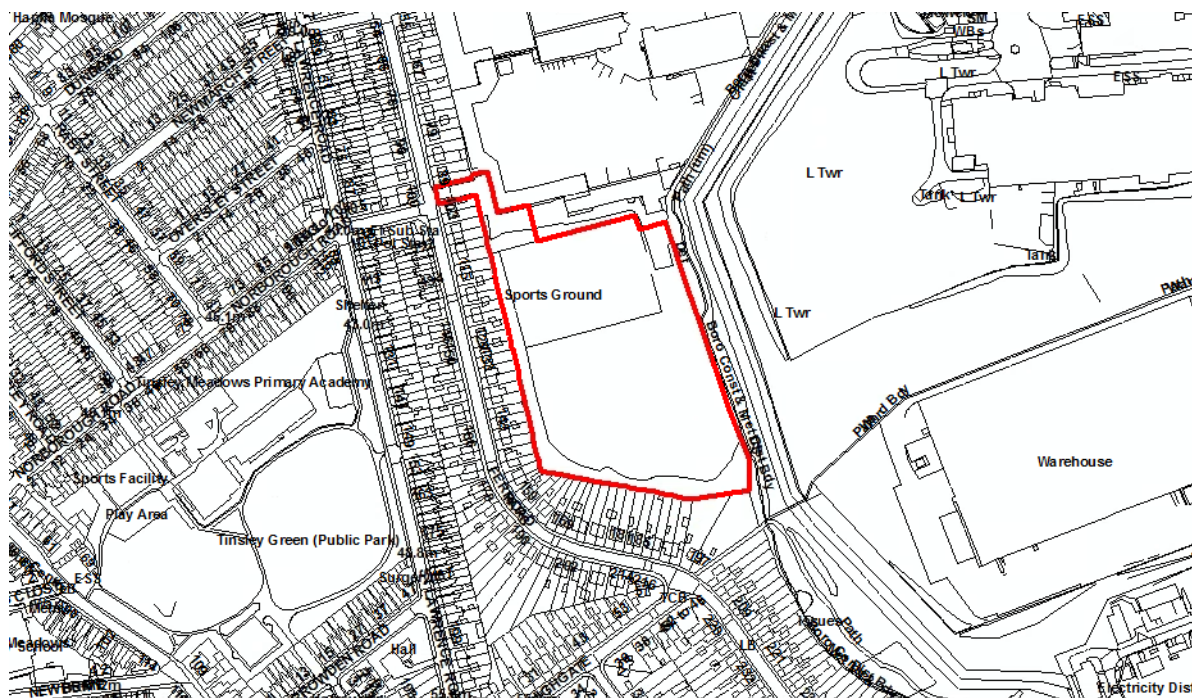
<https://www.sheffield.gov.uk/content/sheffield/home/roads-pavements/address-management.html>

The guidance document on the website includes details of how to apply, and what information we require. For further help and advice please ring 0114 2736127 or email snn@sheffield.gov.uk

Please be aware that failure to apply for addresses at the commencement of the works will result in the refusal of statutory undertakers to lay/connect services, delays in finding the premises in the event of an emergency and legal difficulties when selling or letting the properties.

6. The applicant should be aware that a legal agreement has been completed in respect of this proposal.

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

LOCATION AND PROPOSAL

The application relates to an area of land to the east of Ferrars Road. The site is accessed off Ferrars Road and was formerly used as football pitches in association with the 'It's a Goal' business which is directly to the north of the site. The football use has ceased and the site currently comprises of grassland with tree covered embankments to the southern and western boundaries.

Residential dwellings are located to the west and south of the site, whilst industrial uses are located to the north and east and include steelworks and waste management facilities.

The site is within an Open Space Policy Area as designated in the adopted Sheffield Unitary Development Plan.

Outline planning permission is sought with all matters reserved except for access for 91 dwellinghouses on the site.

RELEVANT PLANNING HISTORY

There is no relevant planning history

SUMMARY OF REPRESENTATIONS

Community consultation has been undertaken by the applicant prior to submission of the application.

Five letters of objection have been received; the issues raised are detailed below:

- Access road is not wide enough for the development
- Water pipes run down either side of the road so the road cannot be widened
- The land is waterlogged and so would be dangerous to build on
- This is the only piece of Green Belt land in Tinsley and was rejected for the new school proposal owing to it being waterlogged
- Development would result in noise to existing residential properties from building
- The development would result in a loss of privacy to existing residents

Two letters of support have been received, one of which requests that planting from the site which has overgrown into neighbouring gardens is removed.

PLANNING ASSESSMENT

National Policy

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The key aim is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.

The following assessment will have due regard to these overarching principles.

Local Plan Policies

The relevant local policy documents are the adopted Unitary Development Plan (UDP, 1998) and the Sheffield Development Framework (SDF) Core Strategy document (2008). The Core Strategy is more up to date, providing the overall spatial strategy for the period 2008 to 2026.

Open Space

The site is located in an area of Open Space as designated in the adopted Sheffield Unitary Development Plan. Policy CS 47 'Safeguarding of Open Space' is relevant and states that development of open space will not be permitted where

- a) It would result in 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) People in the local area would be denied easy or safe access to a local park or to a smaller informal open space that is valued or well used by people living or working in the local area
- d) It would cause or increase a break in the city's Green Network.

An open space assessment has been carried out and this shows that with the loss of the proposed outdoor sports pitches that provision would still be 3.7 hectares per 1000 population and this is well in excess of the threshold of 1.14 hectares per

1000 population. However it is noted that this is quantitative provision only and does not take into account qualitative provision.

In relation to part b) ecological surveys have been undertaken and these show that the site has minimal ecological and landscape value, nor does it have any heritage assets.

The site is privately owned and as such access is restricted and it is not used freely by people living or working in the area. The site is surrounded by built form and does not form part of the city's green network. As such, the scheme is not contrary to parts (c) or (d).

In light of the above the development would not be contrary to parts a) to d) of Policy CS47. The policy goes on to state that development that involves the loss of open space will only be permitted if it can meet one of the exceptions criteria. Point e) is relevant to this application and states that:

- e) As soon as practicable, equivalent or better replacement open space would be provided in the local area

Sport England have been consulted on the application and are a statutory consultee in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No 595), in light of the fact that the land has been used as a playing field within the last five years.

Sport England's Playing Fields Policy states that it will oppose the granting of planning permission for any development which would lead to the loss of or prejudice the use of playing fields, undeveloped land previously used as playing fields or land allocated for use as a playing field. There are however 5 exception tests which need to be considered, test E1 and E4 are particularly relevant to this application. E1 requires a robust and up to date assessment to demonstrate that there is an excess of playing field provision. E4 states that any playing field lost as a result of development will be replaced by a new playing field of equivalent or better quality.

Sport England, in conjunction with the Football Association (FA) objected to the proposal as the application did not include an up to date assessment that the playing field and its facilities are surplus to requirements. A robust analysis of supply and demand was considered necessary as in general there is a high demand for pitches in this area of the city. Furthermore the scheme did not propose any replacement playing fields or associated facilities. As such the scheme was contrary to Sport England's Playing Fields Policy and did not meet any of the exception tests. Sport England Policy is in line with NPPF paragraph 97.

Following negotiations, the applicant has agreed to provide a financial contribution of £190,000, this will allow for the provision of two replacement full size football pitches. No financial mitigation is proposed for the loss of the changing facilities as they are disused and outside the site boundary and Sport England and the FA have accepted this argument and stated that they will remove their objection when a

signed legal agreement has been received.

At the time of writing this report the legal agreement is being drafted and it is anticipated that this will have been finalised by the date of the committee. Members will be updated on this matter at the committee.

In light of the above and specifically the financial contribution to allow for replacement pitch provision elsewhere, the loss of the open space complies with Policy CS47 and Sport England's Playing Fields Policy. It is highlighted that the site is not currently used as a sports pitch and is privately owned, such that the financial contribution will improve provision elsewhere in the city.

Greenfield and Housing Land Supply.

The proposal will involve the development of a greenfield site. Policy CS24 'Maximising the Use of Previously Developed Land for New Housing' states that priority will be given to development of previously developed sites and no more than 12% of dwelling completions will be on greenfield sites in the period between 2004/5 and 2025/26. The policy goes on to set out where greenfield site development will be allowed until 2025/26 and includes Housing Market Renewal Areas, small sustainable sites, Owlthorpe Township and on sustainable larger sites if there is less than a 5 year supply of deliverable sites.

NPPF paragraph 11 relating to the presumption in favour of sustainable development includes a consideration of whether development plan policies which are most important for determining a planning application are out-of-date, and that this includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

Sheffield is in the process of updating its 5-year housing land supply position, however given the changed assessment regime identified in the revised NPPF (2019) and associated Practice Guidance further detailed work is required. We will therefore be undertaking additional engagement with stakeholders before publishing our conclusions in a monitoring report. At this time decisions should therefore continue to be taken in light of the SHLAA Interim Position Paper (2017), which shows a 4.5 year supply of sites.

Core Strategy Policy CS22 relating to the scale of the requirement for new housing sets out Sheffield's housing targets (an average of 1,425 net additional dwellings per year) until 2026. However this policy is out of date, and Sheffield's housing requirement is now based on the Government's guidance for a national methodology for calculating objectively assessed housing need (Sheffield's current local housing need is a requirement 2,098 new homes per year).

The significant increase in Sheffield's local housing need means that the current local plan strategy for delivering 1,425 dwellings per year is out of date. This mismatch between the new goal of creating significantly more homes to meet a housing shortage and the existing strategy significantly reduces the weight that can be attached to the policies that make up a now out of date strategy. As such the

weight which can be attached to Policy CS24 is limited

Given that Core Strategy Policy CS22 is out of date, it is therefore necessary to consider the tilted balance in paragraph 11 of the NPPF. This states that where there is not an up to date development plan permission should be granted unless it will harm a protected area or asset, or any adverse impacts of granting permission would outweigh the benefits.

In accordance with the previous assessment the impact in terms of the loss of the playing field has been mitigated by financial provisions for its replacement elsewhere. There are no other protected assets or heritage assets and so on balance the principle of development is considered acceptable.

Density and Housing Mix

The application is outline at this stage and proposes up to 91 dwellings. Based on this figure and a site area of 2.76 hectares, the development would achieve a density of 33 dwellings per hectare. This is in line with Policy CS36 'Efficient Use of Housing Land and Accessibility' which sets a density of 30 to 50 dwellings per hectare in the urban area.

An indicative site layout has been received this shows that 92% of the housing would be three bed dwellings, with the remaining 8% being four bed dwellings. Such provision would not meet the requirement of Policy CS41 'Creating Mixed Communities' which seeks to ensure development provides dwellings of varied size, type and tenure. One of the ways it seeks to do this is by ensuring that no more than 50% of dwellings are of any one type. However given that the scheme is indicative only, this issue can be addressed at reserved matters stage.

Design

Policy CS74 'Design Principles' of the Core Strategy states that high quality development will be expected which respects, takes advantage of and enhances the distinctive features of the city, its districts and neighbourhoods. It also states that development should contribute to place making and contribute to a healthy, safe and sustainable environment which promotes the City's transformation and helps to transform the character of physical environments that have become run down and are lacking in distinctiveness. Development should also enable all people to gain access safely and conveniently, providing, in particular for the needs of families, children, disabled and elderly people and should contribute towards creating attractive, sustainable and successful neighbourhoods.

Unitary Development Plan Policy BE5 'Building Design and Siting' states that good design and the use of high quality materials will be expected in all new buildings.

Policy H15 'Design of New Housing Developments' states that new housing will be expected to provide east access and circulation around the site, provide adequate private gardens and uniform walls or fences around rear gardens.

The application seeks outline permission with appearance, layout and scale

reserved for subsequent approval.

At this stage only an indicative layout has been submitted with no details of housing appearance or materiality.

The layout shows a primary highway running from north to south parallel to the rear of houses on Ferrars Road, with secondary cul-de-sacs running off from east to west. The plans indicate a range of detached, semi-detached and small rows of terraced housing with in curtilage parking located to the sides and fronts.

A number of concerns have been raised with the design and the applicant was requested to submit further information in the form of a design code and parameter plan. Such information should have tackled street hierarchy and pedestrian connectivity and open space; boundary treatments; massing and legibility; development character and parking.

Despite requesting this information during the application process, the applicant did not wish to submit any additional information given the outline status of the application. The Development Management Procedure Order (2015) states that an application for outline planning permission does not need to give details of any reserved matters.

It is considered that in spite of the above a well-designed housing estate could be successfully accommodated in this location and it presents an opportunity for a high quality distinct response to the site. There are a number of issues with the indicative layout including the location of the open space, the cul-de-sac arrangements and the dominance of frontage parking. Nevertheless it is considered that these issues could be addressed as part of a reserved matters application and a successful design achieved.

Amenity

Existing residential dwellings are located directly to the west and south of the site with rear gardens adjacent to the site boundary. The plans indicate that adequate separation distances can be achieved to ensure that the new development does not cause an unacceptable impact to existing residents in terms of overbearing, overlooking or a loss of privacy. There are a number of trees along the western boundary which are shown to be retained and will offer some screening of the development from existing properties.

The access to the site will be via the existing access between numbers 89 and 103. The transport assessment predicts a total of 48 two way trips during the am peak and 40 two way trips during the pm peak. These vehicle movements will result in increased noise and disturbance particularly for the dwellings on either side of the access (no. 103 and 89). Nevertheless, regard is had to the fact that this is an established access serving a commercial unit and if the open space were to be used intensively for its approved playing pitch use then vehicle trip rates could be at similar levels. Furthermore, it is noted that background noise levels are relatively high in the area and so the vehicle movements will be heard in the context of this.

The indicative layout demonstrates that a development could be achieved which provides adequate living conditions for future residents in terms of light, outlook, privacy and amenity space.

Noise

The eastern site boundary is formed by established heavy industrial premises and further industrial units are located approximately 150 metres from the boundary in a south east direction, all industrial units noted operate 24 hours daily.

The northern site boundary is formed by 'It's a Goal' manufacturers of goal posts for the sports industry. Beyond this is a heavy industrial steel recycling merchant, ELG Haniel Metals Ltd, with the external sorting yard positioned directly adjacent to the northern site boundary.

The noise report details that the primary noise source within the vicinity of the site are predominantly due to the scrap yard activities beyond the northern site boundary due to delivery and movement of steel stock to the yard. The noise is due to the impact of steel on the floor and against itself when moved and processed and is best described as clanging and pouring. This is only present during daytime periods between 7.30 am and 4.30 pm Monday to Friday. Outside of these periods noise from the factories to the east dominates and is associated with plant fans, chillers and compressors, vehicle movements and impact events.

Other noise sources of significance are sited in the report as aircraft and distant traffic from the M1 motorway (500 metres away). It's a Goal did not produce any noise of significance.

The report details that the level of noise in the locality is high and that mitigation will need to be provided in the form of acoustic glazing and an alternative form of ventilation in order to make the living conditions acceptable. Similarly, in order to make the outside living conditions acceptable, acoustic fencing will need to be provided throughout the development.

The scheme has been assessed by the Council's Environmental Protection Service (EPS) who agree with the stipulations of the report and have recommended a number of conditions which should be attached to any approval.

Contamination

A phase I contamination report has been undertaken. This demonstrates that the site has remained largely undeveloped with the exception of a small club house/pavilion. The potential for contamination is therefore low, albeit there is a slight possibility that contaminants from adjacent industrial uses have been transferred to the site. As such the report recommends that further intrusive site investigation is carried out. EPS agree with this approach.

Highways

Access is the only matter for which approval is sought at outline stage. Access to the site will be via the existing access that forms part of the staggered priority crossroads junction with Ferrars Road and Norborough Road. The road will be upgraded to provide a 5.5 metres road width with 2 metre wide footways to both sides. The junction will achieve adequate visibility splays with Ferrars Road, allowing safe access and egress to the site. Swept paths have been submitted which indicate that the access will be able to accommodate a large refuse vehicle.

An existing junction capacity analysis has been undertaken for two junctions in the immediate locality. The first is the site access/Ferrars Road/Norborough Road crossroads and the analysis shows the junction is operating within capacity with minimal queuing. The second is the St Lawrence Road/Norborough Road crossroads which is also within capacity with minimal queuing evident. The proposals are forecast to generate 48 and 40 two-way vehicle trips during the weekday AM and PM peak hours respectively.

The impact of the development generated traffic on surrounding area and junctions has been shown to be negligible in terms of the impact on queuing and delay and can be accommodated within significant detrimental impact upon the highway network.

The site is within a sustainable area and within walking distance of a wide range of facilities including a primary school, healthcare facilities, leisure and community facilities and shops. There are two bus stops within 130 metres and 300 metres of the site which offer frequent bus services to Sheffield and Rotherham. The site is also located 1km away from the nearest tram stop which offers an alternative mode of travel.

A travel plan has been submitted with the application, this seeks to reduce single occupancy car trips and increase the use of non-car modes. Information will be provided to all residents in the form of a travel pack which will provide information about travel options for accessing key facilities and services and will highlight the health benefits associated with cycling and walking.

The layout of highways and parking provision will be the subject of a future reserved matters application. It is however considered that a suitable solution to these matters could be achieved.

Sustainability

Core Strategy Policy CS64 'Climate Change, Resources and Sustainable Design of Developments' requires new buildings to be designed to reduce emissions and use resources sustainably.

Core Strategy CS65 'Renewable Energy and Carbon Reduction' requires developments to provide 10% of their energy requirements from decentralised and renewable or low carbon energy.

The site is in a sustainable location in close proximity to a range of amenities and excellent public transport links. As the application is outline detailed information relating to sustainability is not available, however this can be secured by condition.

Drainage and Flood Risk

Core Strategy Policy CS67 'Flood Risk Management' outlines how development in lower flood risk zones is preferred. It also requires the implementation of sustainable drainage systems.

The site falls within Flood Zone 1 which indicates that it has low probability of flooding. As the site area is greater than 1 hectare a flood risk assessment has been submitted in accordance with validation criteria. This indicates that the majority of the site is at very low or low risk of surface water flooding but that a small part of the site close to the eastern boundary is at risk from surface water flooding.

The plans indicate that development would be located in the areas at risk from surface water flooding. The lead local flood authority has confirmed that this approach is acceptable subject to satisfactory mitigation to ensure that the land does not flood. The flood risk assessment acknowledges the surface water flooding issue and confirms that mitigation such as raising land levels will be necessary.

Sustainable drainage systems have been investigated with reference to the sustainable drainage management hierarchy. The use of soakaways has been investigated but is unlikely to be feasible on this site owing to the ground conditions. The next preferred option is discharge to the water course and this is the preferred option at this stage subject to further site investigations and the relevant approvals.

Air Quality

Core Strategy Policy CS66 'Air Quality' states that action will be taken to protect and improve air quality. The air quality assessment submitted with the application has assessed air quality monitoring stations within the locality, including one on Ferrars Road itself and four within the locality. It is predicted that the development and associated increase in vehicle movements will have a negligible impact on concentrations of NO₂, PM₁₀ and PM_{2.5} and that all levels will remain below the target levels.

The assessment has also predicted pollutant concentrations at three proposed receptor locations within the proposed development site. This is representative of the worst case exposure for future residential dwellings in the development and is located closest to main pollutant sources, considered to be vehicle emissions from the site access and Ferrars Road. Predicted NO₂, PM₁₀ and PM_{2.5} concentrations are below the annual mean air quality objectives and target level, suggesting that suitable living conditions in relation to air quality objectives will be achieved.

An assessment of dust impacts to existing sensitive receptors (nearby residents) during the construction phase has been considered. Works including demolition, earth works and construction have the potential to cause impacts on nearby residents. The report confirms that there is a greater than negligible risk to nearby receptors from such works but that these can be addressed through appropriate mitigation which will be secured by condition.

Ecology

A phase I habitat survey has also been undertaken to identify and map distinct habitats within the site. This identifies that the site comprises largely of semi-improved neutral grassland with small areas of broadleaved semi natural woodland, broadleaved plantation woodland, scrub and scattered trees and ephemeral/short perennial vegetation.

A desk study has been undertaken to gather information on legally protected and/or other notable species within the site or immediate locality. The trees around the edges of the site offer potential habitats for roosting and foraging bats and should be retained. The site also offers potential for foraging badgers although no evidence of badgers was found during the site survey. The site offers low potential for great crested newts.

The report states that the Chapel Flat Dyke to the east of the site represents a potential commuting pathway for otter; and woodland scrub in the site offers refuge opportunities. No evidence of otters was found on site; however it is recommended that further surveys are undertaken. Similarly the drainage ditch to the south of the site offers a suitable habitat for water vole and although none were identified it is recommended that a further survey is undertaken between April and October.

The Council's Ecology Officer has confirmed that the report has been carried out by competent ecologists using current best practice survey and appraisal methods and there are no gaps in the information provided for this outline application. The site is generally relatively poor in habitats but there are some small areas of more diverse habitats that should be retained. The recommendations made within the report will be secured by condition.

Trees/Landscape

The central part of the site is grassland and is devoid of trees and hedges. However, there are a number of trees, groups of trees and hedges along the boundaries of the site. A tree report has been submitted with the application and identifies the majority of the trees as category C 'lower land value, could be retained' with 3 category B trees 'moderate value, retention desirable' and 3 trees as requiring removal.

The indicative site layout shows all trees to be retained which is welcomed and desirable from a visual and ecological perspective.

Community Infrastructure Levy

The site falls within an area where the CIL contribution is zero

Affordable Housing

Affordable Housing is required for residential developments in accordance with Core Strategy Policy CS40 and the affordable housing supplementary planning document. The city is split into 12 affordable housing market areas with contributions ranging between 0% and 30%. The site falls within an area where there is a 0% requirement for affordable housing.

RESPONSE TO REPRESENTATIONS

The issues raised have been discussed in the report above. It is highlighted that the site is not designated as Green Belt.

SUMMARY AND RECOMMENDATION

The principle of developing the land for residential purposes is acceptable. The development will lead to the loss of former sports pitches; however a financial contribution to replace/enhance pitches in the locality has been secured and has resulted in Sport England withdrawing their objection. All matters are reserved for subsequent approval with the exception of access. The plans demonstrate that a safe and suitable access can be achieved which will provide suitable visibility splays and allow the development to be serviced by large vehicles. It is considered that all other matters in relation to appearance, landscaping, layout and scale can be adequately addressed at reserved matters stage. As such it is recommended that outline permission is granted conditionally subject to a legal agreement.

Heads of Terms

The applicant shall make a financial contribution of £190,000 towards the provision of two replacement full sized football pitches.

This page is intentionally left blank