
Case Number	18/00146/OUT (Formerly PP-06657754)
Application Type	Outline Planning Application
Proposal	Erection of 22 no. dwellinghouses and associated works
Location	Land To The Rear Of 21 To 87 Beacon Road And Adjacent 131 Sandstone Road Beacon Road Sheffield S9 1AB
Date Received	11/01/2018
Team	City Centre and East
Applicant/Agent	Mrs Sharren Wright
Recommendation	Refuse

Refuse for the following reason(s):

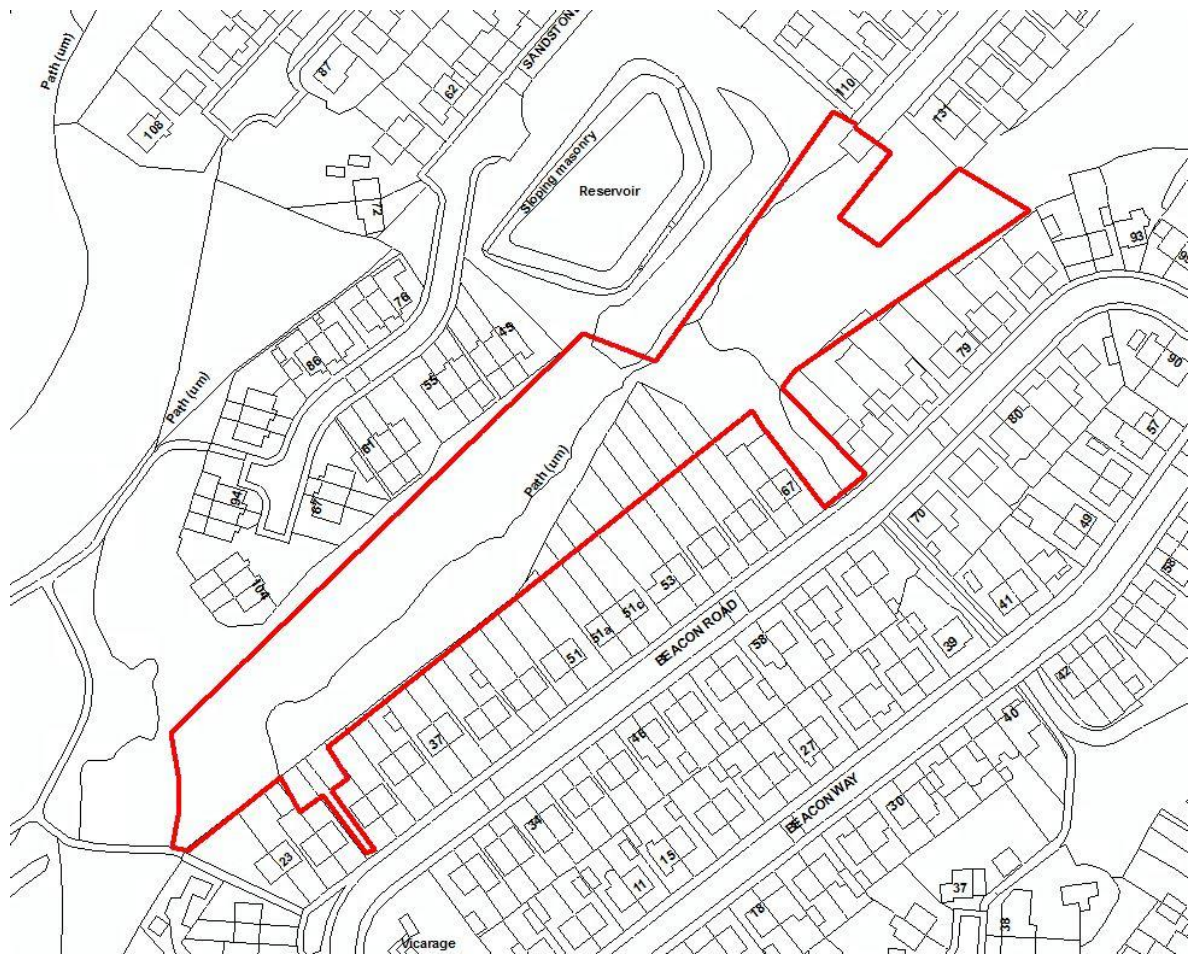
- 1 The Local Planning Authority considers that the proposed development would detract from the setting of the Roman Ridge and Wincobank Hill Fort Scheduled Monuments and undermine the ability to understand their significance. It would also result in the loss of open space which has landscape value in breaking up the mass of housing on the hillside and is valued by the local community. It is considered that the benefits of the new housing and the pedestrian access improvements are significantly and demonstrably outweighed by the adverse impacts of the development. The proposal is therefore considered to be contrary to Paragraphs 184 and 192 of the NPPF, Core Strategy Policy CS47(b) and Unitary Development Plan Policy BE22.

Attention is Drawn to the Following Directives:

1. The applicant is advised that this application has been refused for the reasons stated above and taking the following plans into account:

Land Registry Location Plan
Proposed Site Plan 2018-70-01
Proposed Site Sections Sheet 1 2018-70-02
Proposed Site Sections Sheet 2 2018-70-03
Proposed Route for Footpath and Interpretation Panels

Site Location



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LOCATION AND PROPOSAL

The application site is located on the steeply sloping hillside of the Wincobank Area to the north side of the Lower Don Valley. It is an elongated strip of land which is overgrown with scrub and positioned at the south west end of Sandstone Road. It is approximately 280m long by 40m wide. To the north east it adjoins semi-detached houses on Sandstone Road. To the north-west it adjoins a Forgemaster's reservoir and semi-detached houses on Sandstone Drive at a higher level. To the south west there is the Wincobank Wood open space area. To the south and south east it adjoins the back gardens of houses on Beacon Road which are situated at lower level. The site slopes steeply down from a north west to south east direction with a level change of approximately 13m. There is an informal footpath that runs across the site from the end of Sandstone Road to the open space to the south west although the application site is private land.

A scheduled monument, Wincobank Hill Fort and two sections of the Roman Ridge which are also scheduled monuments are located approximately 200m to the north and approximately 300m and 600m to the north east respectively. An unscheduled section of the Roman Ridge is located approximately 40M to south west of the site.

The application is seeking outline permission for 22 houses with all matters reserved. If the Council is to grant planning permission it needs to be satisfied that this number of houses can be adequately accommodated on the site. To assist with this, the applicant has submitted an indicative layout and site sections. The applicant is not committed to these - they are merely indicative plans which have been submitted to show one way in which the site might be developed.

The indicative layout and site sections show a new access road created by extending Sandstone Road into the site to serve the proposed housing. The road has footpaths either side and ends in a turning head. The houses are laid out as semi-detached units with 2 side parking spaces to serve each unit. Six houses are located on the south-east side of the first part of the new access road opposite the reservoir. A further 12 houses are shown further along the new access road travelling from Sandstone Road. They are situated to the north west of the new access road. The remaining 4 houses are at the very end of the new access road, after the turning head.

The indicative plans show a footpath connection off the south western end of the new access road into the open space to the south west of the site. The indicative plans also suggest that there could be a footpath connection from the site to Beacon Road and one from the first section of the new access road into the open space to the north east of the site. There is also a footpath link shown around the back of the 6 new houses to the south-east of the first part of the access road.

The new access road is built up on an embankment. The cross sections suggest the first 6 houses located on the south side of the access road will be spilt level with 2 floors at the front and 3 at the rear. There is a steeply sloping landscape strip between the rest of the new access road and the rear gardens of the Beacon Road properties. The cross sections also show the houses on the north western side of the new access road [and the houses located beyond the turning head] cut

into the embankment with retaining walls and terraced gardens to the rear. The cross sections suggest these houses will be split level of 3 floors at the front and 2 at the rear.

There are one or two minor discrepancies with the cross sections and plans although this is not critical given that they are indicative only.

The supporting statement submitted with the application says that the houses will be disabled living houses which the applicant has defined as:

- all doorways and access entry points to accommodate wheelchairs
- stair lifts fitted where necessary and stairs constructed wide enough to take stair lifts
- the structural workings of the dwellings would be adequate to take a hoist in a downstairs and upstairs room

They have also stated that the homes will be environmentally conscious and energy efficient Homes which means they will be looking to achieve a BREEM Home Quality Mark award of 4 stars.

The applicant has also stated that they will enter discussions with the Council about nomination rights for the housing if permission is granted. This would be on a similar basis to a scheme in Barnsley where the units are private rented under an Assured Shorthold Tenancy Agreement and the rent levels are likely to be close to market rents. The Council would source prospective tenants but the developer would have the final say on tenants who are allocated these properties. Under the applicant's proposals, the Council would manage the properties for an agreed fee and the management agreement would be for an initial 5 years from the date of completion but either party can give six months' notice.

The applicant has pointed out that there will be economic benefits in terms of construction jobs and spending in the local economy post construction.

The applicant has indicated that if they get planning permission they will provide a footpath link between the site and the scheduled section of the Roman Ridge to the north east of the site on open land that is owned by the applicant to the rear of houses that face on to Sandstone Road and Jenkin Avenue. They say the details of this will be discussed with archaeologists and the local community. However this is not included within the application site and therefore cannot be given any weight in determining this application.

RELEVANT PLANNING HISTORY

The most recent planning history dates back to 2012/2013. The Council refused planning permission for 22 dwellinghouses and 4 apartments on this site in July 2012, 11/03972/FUL. The reasons for refusal were as follows:

1. The Local Planning Authority considers that the proposed development would involve the loss of an open space area which the local community consider to be of high quality with heritage and ecological merit and is

valued and well used by people living in the local area. For these reasons the proposal is considered to be contrary to Policy CS47 (parts b and c) of the adopted Sheffield Development Framework Core Strategy.

2. The Local Planning Authority considers that the proposed development may result in damage to a significant prehistoric archaeological site and further erode the setting of a Scheduled Ancient Monument. For this reason the proposal is considered to be contrary to Unitary Development Plan Policy BE22.

The applicant appealed against the decision and the appeal was dismissed in January 2013.

In a statement of common ground relating to that appeal the appellant and the Council agreed that the Council did not have a 5 year supply of housing, that there was adequate provision in quantitative terms of informal open space in the local area even with the loss of the site and that the site was a sustainable location for housing.

The inspector concluded that the development would lead to substantial harm to the significance of the scheduled ancient monuments as designated heritage assets and the loss of valued open space. He considered that the benefits of housing did not outweigh the harm.

Planning permission was also refused for the erection of 6 flats and 25 dwellinghouses on the site in October 2003 (application 03/00789/FUL). The reasons for refusal were as follows:

1. The Local Planning Authority considers that as the proposed development involves the loss of Open Space which has substantial amenity value for local residents, it would have a detrimental impact upon the character and amenity of the area. As such the proposal is considered to be contrary to Policies LR4, LR5 and LR7 of the Unitary Development Plan.
2. The Local Planning Authority considers that the proposal represents the development of a green field site contrary to the aims of Planning Policy Guidance Note 3 'Housing'. The City has an adequate supply of previously developed land to meet its housing needs which should be used in preference to the proposed site.

The applicant appealed against the refusal and the Planning Inspector dismissed the appeal on 1.10.2004. In dismissing the appeal the Inspector concluded that the development would not cause loss of open space that should be retained because of its nature conservation and recreation value.

The appeal was rejected solely on the basis that there was a five year supply of housing land at that time and therefore there was no justification for over-riding the presumption against Greenfield development. There was no consideration of archaeological matters relating to the Scheduled Ancient Monuments near the site in that appeal decision, which predated the publication of the first National Planning Policy Framework in 2012.

A further two permissions relate to the site but neither was implemented:

- Full planning permission was granted on the site in May 1995 for 28 dwellinghouses (planning permission 93/1053P); and
- Outline planning permission was granted on the site for residential development in March 1991 (planning permission 90/2212P).

SUMMARY OF CONSULTEE RESPONSES AND REPRESENTATIONS

Historic England

Historic England has advised that they consider the heritage reports to be a very thorough and comprehensive body of work. However, the available information still struggles to definitively rule in or out the exact location of the Roman Ridge in this location. They do not see this as a failure of the report but rather a consequence of the particular set of circumstances regarding the Roman Ridge at Sandstone Road.

They do not consider there is any further work which could be undertaken, beyond extensive and full excavation of the area, which would confirm the location of the Ridge beyond doubt. Even then, it is probable that this might not be conclusive and that we have to accept that the archaeological evidence for the Roman Ridge in this location no longer exists to clarify its exact location.

As they cannot see what further work can be undertaken to clarify the alignment of the Roman Ridge, they consider the current alignment and open space should be given weight as an indication of the possible extent of the monument.

When considering development their view is that it is essential that any plans fully understand the alignment and setting of the Roman Ridge and its relationship to Wincobank Hill Fort. Any scheme needs to retain the strong green emphasis of the 'line' of the Roman Ridge along the full length of Winconbank Hill and where possible this should be enhanced and managed.

They can see how the indicative layout has endeavoured to respect the open space alignment of the ridge by limiting the area of development and by maintaining a continuous band of open green space along the whole site. They refer to a pinch point below the reservoir site and note that the number of houses has been reduced in this area since they gave pre-application advice. However overall the development still reduces the green wedge of the current open space which will have an impact on the ability to appreciate the alignment of the Roman Ridge but probably not to a degree where it can no longer be understood.

They consider there are opportunities to enhance the public understanding and appreciation of the ridge and Wincobank Hill Fort through better management of the vegetation, and the provision of interpretation panels alongside the footpaths. This would need to be secured as part of any development and mechanisms should put in place to ensure that the wider management of the site does not suffer from the tipping of garden waste and other material from the new dwellings.

Whilst Historic England recognises the reduced level of development proposed at this site, it will still have some impact on the setting of the Roman Ridge and Wincobank Hill by reducing the strong green emphasis of the open space along the ridge. This is most critical below the reservoir where there is already a pinch-point. This level of harm will need to be balanced against the proposed public benefits of the scheme as required by paragraphs 192, 193, 194, 196 and 197, of the National Planning Policy Framework.

Sheffield and Rotherham Wildlife Trust

Sheffield and Rotherham Wildlife Trust has objected on the basis that the site is designated as open space and a Local Wildlife Site and will remove a section of green corridor and isolate the remaining area of the Local Wildlife Site. It would potentially damage and affect the setting of the Iron Age Hill Fort. It is contrary to parts b and c of policy CS47. They consider the site provides significant environmental, social and landscape benefits for the surrounding area. It is an important resource for health and wellbeing which is well used and valued by the community. Wild at Heart, their own community project for adults aged 50 years or over has also made good use of the area within its programme of outdoor activities. It is understood the Love Wincobank Campaign has access to legacy funding for an alternative proposal to improve the quality of the site for local people and wildlife. If permission is granted a natural green corridor should be retained through the development which should have a management plan funded by the development. The scheme should incorporate planting which will enhance the biodiversity of the site. A hedgehog highway which includes holes in fences should be incorporated into the scheme. Vegetation removal should take place outside the bird breeding season.

The Council for British Archaeology Yorkshire

The Council for British Archaeology Yorkshire objects on the grounds that the development is detrimental to the setting of the Wincobank hillfort. It would diminish this section of the Roman Ridge and have an adverse impact on its understanding and its relationship with the hillfort. It would have a negative impact on the amenity value of the hillfort and earthwork.

Members of Parliament

Gill Furniss MP and Lord Blunkett support the principle of new homes for local people but not where it endangers heritage. The application should be rejected and allow continued preservation of the Iron Age Hillfort and Roman Ridge and maintenance of this valuable piece of history. Nothing material has changed since the previous application and the decision of the Council and Planning Inspector should be respected.

Councillors

Councillor Dale has objected stating that whilst the need for housing is understood the valuable green space used by local people and of benefit to health and well-

being should not be built on. The previous judgement should be respected and upheld.

Sheffield Forgemasters

Sheffield Forgemasters have objected on the basis that the development has the potential to damage or disrupt the reservoir or pipelines that serve it. This could have health and safety implications if it coincides with power failure as the reservoir water supply provides back up cooling to the plant.

Petition

An online petition has been submitted objecting to the proposal which has been signed by 2,725 people as of the 5.4.19. A paper version of the same petition has also been signed by 347 individuals. The reasons are that Roman Ridge has the same historic value as Hadrian's Wall and Offa's Dyke and is of local and national significance. The land is well used, designated as open space and should be protected and be accessible for further archaeological investigations and for the education and enlightenment of future generations. The signees are from across Sheffield, other parts of the country and also from other countries.

Individual letters

70 individual objections have been received including one from the Love Wincobank Campaign which includes copies of representations made on the last planning application, Brigantes of Wincobank Hill, Friends of Wincobank Hill and Wincobank Hill Connects. The content of these letters is summarised further below:

Representations regarding Cultural Heritage

- There is archaeological evidence that both the ridge and the hillfort are the boundary of the Brigantes tribe from the Iron Age through to the 1st century AD and also evidence that this is the border of the Saxon kingdom of Elmet. The site straddles the logical line between the non-designated part of the Roman Ridge and the scheduled section and it is argued that the builders would have taken the shortest route despite the geology. There is no definite evidence to prove the location of the earthwork and none to show that it has been diverted from the obvious line. The applicant's argument that the route takes a sudden detour to avoid a geological fault is not credible. The line of the ridge was mapped before the building in the last century and this clearly shows it passing through the site.
- The site is part of the Roman Ridge and the Iron Age hill fort and should not be built on and should be left open for future generations to explore, it will spoil a site of historic and archaeological interest of national importance. The slopes of Wincobank are an integral part of the setting of the hillfort. Historic England also agree that the site is the probable route of the ridge and the housing will still have some impact on the setting of the Roman Ridge and Wincobank Hill. The existing development on the hillside is no justification for further damaging development. The development will

negatively impact on their setting and views to and from the hillfort, therefore is contrary to Development Plan Policy BE22 and NPPF para 184, 195 and 197. The Roman Ridge has not been fully investigated to modern archaeological standards, the below ground archaeology should be fully investigated and this is no reason for accepting a proposal that will destroy its significance. The same reasons the inspector rejected the last application are relevant now.

- The proposal fails to protect or enhance the historic environment and cannot be considered to be "sustainable", even in the absence of a 5-year housing supply. Therefore the presumption in favour of sustainable development would not apply. The NPPF advises that even when relevant policies are out of date, such as housing policies, permission is not granted where "the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed". Policies of particular importance include those that protect designated heritage assets.
- In his reasons for dismissing the appeal against refusal of 11/03972/FUL, the Planning Inspector concluded that it had not been demonstrated that the Roman Ridge did not run through the site, and that it was more likely that it did. He also referred to the Roman Ridge as perhaps "one of the most significant examples of ancient linear land division in Britain", and found that the proposed development would lead to substantial harm to Scheduled Ancient Monuments, as well as the loss of valued open space. There are no changes to the circumstances or value of the heritage, and the harm would still be substantial. The NPPF says that permission should be refused unless the substantial harm is necessary to achieve substantial public benefits that outweigh that harm.
- In 1904, following a campaign by the British Archaeological Association and the Sheffield Free Libraries and Museums Committee, the Wincobank Hillfort and Surrounding land was presented by the Duke of Norfolk to the Corporation of Sheffield. Sheffield Corporation was tasked with the duty of being custodians, with a request from the Duke of Norfolk that 'the ancient fortifications' he presented across to the people of Sheffield be preserved. Historical sites are important for learning from past and social and cultural cohesion and should not be destroyed.
- The offer of improved footpaths and interpretation could easily be achieved through other means. The proposal would undermine the Love Wincobank Campaign objectives of developing Wincobank Hill as a heritage resource.
- The Forgemasters reservoir is rare and its historic setting is worthy of protection.

Representations regarding Open space

- Surplus open space has not been demonstrated. There is a shortage of parks and gardens and amenity open space and a deficit of formal open space.
- This is an important space which gives a green lung in a heavily populated area which has little green space and has been used by local children for play and by groups for educating children about social history; it is used for

leisure activities, and important for quality of life. The applicant has exaggerated the degree of litter/dog fouling/drug taking paraphernalia and antisocial behaviour issues associated with the site. The site has been most damaged by the owners' actions of dumping rubble on the site, digging ditches to make public access more difficult, and actions which have contributed to the spread of Japanese Knotweed.

- It will result in the loss of open space which the local community consider to be of high quality with heritage and ecological merit and is valued and well used by people living in the local area. For these reasons the proposal is considered to be Contrary to Policy CS47 (parts b and c) of the adopted Sheffield Development Framework Core Strategy. The harm resulting from the loss of the open space will outweigh any benefits from additional housing.
- The land was once part of a continuous footpath from Meadowhall to Grimethorpe and the Public Rights of Way team have advised that as the path was not fully obstructed it is a permissive footpath.
- The open space improves air quality, controls air temperature and flood risk. The local Friends Group work to raise the profile of the site with events, fund raising and maintenance works in order to safeguard this ancient monument. Any decision to allow building near or on this site would fly in the face of community commitment, inclusion and endeavour.
- There is nothing on the plans which show that the existing path across the site will be incorporated.

Representations regarding Ecology/Landscape

- The proposal will destroy important wildlife included protected species and trees.
- If permission were granted a Japanese knotweed Management Plan should be required to be submitted by condition.

Representations regarding Amenity

- The new housing will impact on the privacy of adjoining houses due to overlooking and spoil the view from the rear of the Beacon Road houses and of the Don Valley. It will severely reduce light to the properties below. There is not enough room to develop housing on the site. It will take away a quiet and private location for existing houses and replace it with a noisy environment due to footfall and construction.
- The design of the new houses is out of character with the surroundings and the development will harm the visual amenity. The proposed housing is of low quality and the materials are not similar to surround properties.
- Additional housing will increase antisocial behaviour.
- Disturbance during the construction period
- The development will cause rats to migrate to adjoining houses.
- It will have a harmful impact on the landscape of Sandstone Road.

Representations regarding Traffic/Access

- It will create more traffic in an area that is already heavily congested. Sandstone Road cannot cope with the extra traffic associated with the houses and the construction vehicles due to on street double parking which narrows the road. Construction traffic will damage parked cars and the

highway infrastructure that has been upgraded and will create public safety problems.

- There is not enough parking, turning loading space.
- Public transport is not good enough to support additional housing

Representations regarding Consultation

- Wider consultation on Sandstone Road and Sandstone Drive should be undertaken and longer should be allowed for comments.

Representations regarding Repeat Applications

- A similar proposal has been submitted many times and rejected. The application is similar to the previous one with a few minor changes which was dismissed on appeal and nothing has changed therefore it should be rejected again.

Representations regarding Land condition/ Stability/Flooding

- The land is steep and potentially unstable and there is a risk of a serious accident. There is a risk of subsidence to drives. Spring water and run off may affect the houses on Beacon Road below. The trees on the site protect the hill from erosion. An existing retaining wall adjoining 131 Sandstone Road is stopping the garden and houses slipping down to Beacon Road and must not have any earth removed near it. The site contains numerous mine shafts. The Forgemasters pipe outlet is shallow and if disturbed by movement would cause serious damage to the properties below. Three of the houses are proposed to be built over the drains and a manhole serving some of the houses on Sandstone Road, the developer should be made aware of this. The water/sewer pipe between 27/29 Beacon Road will be under adjacent houses as the land is unstable and it cannot be achieved whilst maintaining the easement.
- There is a risk that removing soil from the site will spread knotweed and the amount of material that will need removing to eradicate the knotweed will damage the archaeology and cause traffic problems on Sandstone Road.

Representations regarding Housing demand lack of services

- Wincobank area is not identified as a housing priority zone in the Sheffield New Homes Delivery Plan 2018 -2030. If permission were granted the site would stand vacant whilst economic conditions change like other sites in Wincobank. The housing land supply problem would be much less if vacant properties were taken into account. The proposal does not meet the density guidance and the affordable housing targets in the Core Strategy and the housing will not be affordable for local people.
- Extra houses are not needed, vacant properties can be reused and Brownfield land should be built on in order to meet housing need before this valuable open space. There are few facilities nearby for elderly and disabled people within an easy walk due to the steep topography. Local schools, dentists, & doctors are already oversubscribed. As the application is in outline and eco homes are expensive it seems unlikely that Wincobank housing values will support such development and there is no guarantee that they will be delivered. The extensive foundations are unlikely to lend themselves to green construction methods, building for life standards seem unlikely to be achievable given the size of the houses and the sites

topography does not lend itself to disabled housing. Whilst the need for additional housing is accepted there must be other sites which are not as important for history and beauty.

Representations regarding Health

- A local GP and Love Wincobank Campaign have objected on the basis that the impact on the physical and mental health of existing residents has not been considered. The local health centre has the highest proportion of obese adults in the city and access to green space is essential to good health. The loss of a local green space will hinder and worsen an existing health problem and discriminate against those without access to a car especially the elderly. The traffic will worsen air quality.

Representations regarding other issues

- It will devalue existing houses and result in the loss of a view of landscaping greenspace (house prices and loss of view are not material planning considerations).
- Conflicting information about whether the properties are for disabled people/private or council housing. The houses will be let by private landlords causing property prices to decrease (house prices are not a material planning consideration).
- If permission is granted a full archaeological excavation should be carried out and a contribution made towards maintenance of development of community amenities and to meet the educational needs of occupants of the housing.
- The site is not suitable for housing given its gradient.

PLANNING ASSESSMENT

Policy Issues

Applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) says that planning decisions should apply a presumption in favour of sustainable development. Paragraph 11 of the NPPF states that for decision making this means:

- Approving development proposals that accord with an up-to-date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i) The application of policies in the Framework that protect areas or assets of particular importance provides clear reason for refusing the development proposed, or
 - ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Council Policies for the delivery of housing will be considered out of date if the Council cannot demonstrate a five year deliverable land supply. Other policies may also be out of date depending on their degree of consistency with the NPPF.

Where the policies most important for determining the application are out of date, the presumption in favour of sustainable development will apply and planning permission should be granted unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole. The presumption in favour of granting permission would also not apply where policies in the Framework protect areas or assets of particular importance such that they provide a clear reason for refusing the development proposed. Policies of particular importance include designated heritage assets and non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments.

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 (2018, as updated in 2019) and associated Practice Guidance, further detailed work is required. The Local Planning Authority will therefore be undertaking additional work, including engagement with stakeholders, to reflect the requirements of national policy and guidance before publishing our conclusions in a monitoring report later this year. At the current time, the Council cannot therefore demonstrate a five year supply. The Council's most recent assessment of supply, contained in the SHLAA Interim Position Paper (2017), showed a 4.5 year supply of sites.

Therefore the Core Strategy policies for the delivery of housing should be considered to be out of date and significantly reduced weight. This means that there is a presumption in favour of housing unless it is determined that there is a clear reason to refuse the development on the grounds of its impact on the Wincobank Hillfort and the Ridge which are scheduled monuments (or any non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments) or the adverse impacts of granting permission significantly and demonstrably outweigh the benefits of the proposal.

The applicant has argued that the housing which is to be provided on site will be disabled living, environmentally conscious, energy efficient housing, and the Council will have nomination rights.

The Government's housing standards review sought to cut red tape affecting housing development by placing limits on the requirements that planning authorities could make. As a result the requirement to design houses to meet Code 3 of the Code for Sustainable Homes can no longer be applied and neither can the mobility housing guidance. Given the lack of policy support for seeking higher standards on energy efficiency and disabled living a planning condition or legal agreement requiring the houses to be designed to meet the higher standards being offer by the applicant would not meet the 6 tests for planning conditions as

set out in the NPPF. Therefore there would be no control over whether these benefits would be delivered.

In terms of nomination rights it is not clear at this stage whether the Council would be able to reach agreement over nomination rights and what form this would take. The applicant has submitted a supporting letter from a builder which says that he has costed a housing scheme on the site taking into account the infrastructure costs, disabled living design and nomination rights and that the scheme would still be profitable. This might suggest that there is a reasonable prospect of at least some of the benefits referred to above being delivered even though the Local Planning Authority cannot insist upon their delivery. However given the lack of certainty and the lack of a mechanism to secure the delivery it is considered that they should be given little weight in determining this application.

Impact on archaeology interest and the setting of the ancient monument

Scheduled Monuments are of national importance. The scheduled ancient monuments close to the site comprise of the Wincobank Iron Age Hill Fort (dated around 500BC) approximately 200m to the north and two sections of the Roman Ridge located approximately 300m and 600m to the north east. An unscheduled section of the Roman Ridge is located approximately 40M to south west of the site. The NPPF in paragraph 197 advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. The unscheduled section of the Roman Ridge is part of the same historic feature and therefore should have the same significance.

Wincobank Hill Fort comprises an oval enclosure with an internal area of 1.1ha surrounded by a single rampart with an external ditch and counterscarp bank. Although eroded in places, the rampart survives to a height of up to 2.8m from the bottom of the ditch, which has an average width of 10m.

The Roman Ridge is a linear earthwork comprising of a single ditch and bank. It runs from Sheffield to Mexborough although its definitive route cannot be traced for the entire length and in some areas there is more than one section. The archaeological statement submitted with the planning application (dated September 2011) says that it is unlikely to have been constructed before 1000 BC, when extensive bank and ditch systems such as this were introduced into Britain, or much later than AD 1000. This is because the dating evidence is uncertain.

Paragraph 192 of the NPPF advises that in determining applications, local planning authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 of the NPPF states that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

Paragraph 194 of the NPPF provides that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to assets of the highest significance such as scheduled monuments should be wholly exceptional.

Paragraph 195 of the NPPF says that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) The nature of the heritage asset prevents all reasonable uses of the site; and
- b) No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) The harm or loss is outweighed by the benefit of bringing the site back into use.

Where the development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (paragraph 196 of the NPPF).

Unitary Development Plan Policy BE22 says that Scheduled Ancient Monuments and their settings and other sites of archaeological interest will be preserved, protected and enhanced. Development will not normally be allowed which would damage or destroy significant archaeological sites and their settings. This policy is considered to have a high degree of consistency with the NPPF in that it does not preclude development that affects the setting of archaeological sites and the NPPF also seeks to protect the setting of Ancient Monuments.

Three archaeological investigations have been undertaken into the development site. These are:

- Evaluation trenching undertaken by ARCUS in 1993 (Gething and Symonds 1993),
- Evaluation trenching and desk-based studies undertaken by Archaeological Research Services Ltd (ARS Ltd) in 2011 (Mora-Ottomano 2011)
- A new study using information from British Geological Survey, Lidar and historic map data (Stenton and Badcock 2017).

The latter two documents have been submitted as part of this application.

In total 10 evaluation trenches were excavated (in 1993 and 2011) down to the undisturbed natural substratum. The most recent ARS Ltd study concluded that in relation to the site, “from the observed stratigraphy, it is more likely the Roman Ridge never crossed the site, as one would expect some ephemeral evidence to remain, albeit heavily truncated” (Mora-Ottomano 2011, 2).

An assessment of the setting of the Scheduled Monuments was also undertaken as part of application 11/03972/FUL (ARS Report; Brightman 2012). It concluded

that there was considered to be no material impact on the setting of the Hillfort and only a negligible impact on the setting of the Roman Ridge.

This information from the 1993 and 2011 evaluation trenches and the assessment in 2012 of the setting along with information from the applicant's consultants and an archaeologist representing community groups was considered by the planning inspector in the 2012/13 planning appeal.

In dismissing the appeal the inspector considered Wincobank Hill, despite its partial development, to be "an inherent part of the location and function of the Hillfort, providing its setting and contributing strongly to its significance as an important heritage asset". He also said that within the Hillfort's setting lie parts of the Roman Ridge, which he described as "a notable heritage asset" itself which "may be one of the most significant examples of ancient linear land division in Britain" (paragraph 10 of appeal decision 2180681).

The inspector noted that archaeological evaluation trenching found no indication of the Ridge earthwork on the site and acknowledged that expert opinions differed, but went on to state that the appellant's conclusion (that the Ridge was more likely not to have crossed the site but instead to have followed a line above or below the site) to be "a step too far". There was no evidence to support that conclusion and it was entirely possible that physical disturbance in the past had entirely removed any evidence of the earthworks. The inspector felt on balance it was "more unlikely, for cartographical, geographical and topographical reasons that the line of the Ridge lies above or below the site". He did not consider that the evaluation demonstrated convincingly that the line of the Ridge does not run through the site but instead considered that despite the excavation findings the evidence still pointed "more strongly to the Ridge taking a line that coincides with the long narrow shape of the side and the adjoining land" (paragraph 11 of appeal decision 2180681).

In the inspector's view the "long thin strip of open space between the scheduled and unscheduled parts of the Ridge gives a strong visual indication of the most likely route of the Ridge. In that respect the site and the adjoining land provide the context and setting for the separate parts of the Ridge in this location. The course of the Ridge is part of the archaeological and historical setting of the Hillfort". The inspector considered the ability to appreciate the continuous line of the Ridge is "vital to understanding its overall form and nature, its historic significance and its relationship to the Hillfort". Development of the site would obscure the extent and quality of the setting of the Scheduled Ancient Monuments and would undermine the ability to understand their significance. That would conflict with the aims of the UDP policy BE22 and key NPPF objectives. (See paragraph 12 of appeal decision 2180681). He concluded that the development would lead to substantial harm to the significance of the scheduled ancient monuments as designated heritage assets and the loss of valued open space.

The inspector did acknowledge that housing in a fairly sustainable location would clearly be of benefit to the City and noted that the state of knowledge of archaeology of the Hillfort and Ridge at the time and their wider environment was poor. His view was that this "supports a restriction on development of the site to

ensure that any future finding of the true value of a potentially high value heritage asset is not compromised by development now. Today retaining the site as an open space is vitally important to the interpretation of the SAMs and the wider historic landscape". The benefits of housing were significantly and demonstrably outweighed by the harm. (See paragraph 14 of appeal decision 2180681).

Additional information which has been produced since the appeal is contained in the desk-based research by Stenton and Badcock (2016) which was submitted as part of this planning application. This includes various historical maps and photographs of the site but the key piece of new information is the identification of a geological fault in the Parkgate Sandstone outcrop to the south west of the application site on which the Ridge is thought to have been constructed. The applicant's consultant states that it is the general consensus among archaeologists and historians that the Parkgate Sandstone ridge was chosen as the route of the Roman Ridge in this location because of its prominence and defensive ability. The applicant has mapped British Geological Survey (BGS) geological data and the Environment Agency's Lidar data which maps the terrain by lasers from a plane. This data has been overlaid with Ordnance Survey data.

The BGS map indicates that, due to displacement caused by the fault, the Parkgate Sandstone outcrop actually runs beneath the houses and rear gardens on the north side of the present-day Beacon Road. The Stenton and Badcock archaeological assessment says that if the Roman Ridge was indeed constructed along the 'line' of the outcrop, this part of the monument may therefore have been destroyed when the houses on Beacon Road were constructed in the 1960s. They do however say that it is possible that when the builders of the Roman Ridge reached the fault zone to the southwest of the Site, they did not follow the line of the natural Parkgate Sandstone outcrop down the hill but instead constructed a relatively short section of earthen bank and ditch across the angle created by the displacement of the sandstone. It is argued that the likeliest course for such a feature would be along the route across the application site, which was excavated without finding any evidence of the Roman Ridge.

The applicant says this new evidence coupled with the archaeological trenching work undertaken on the site which revealed no evidence of the Roman Ridge shows that the Roman Ridge ran to the south west of the development area.

It is argued by the applicant that the green corridor which will be retained through the development as shown on the indicative layout will reveal the linear nature of the Roman Ridge beyond the scheduled section. The applicant also says that proposed vegetation clearance on land to the north east of the application site, which includes the scheduled section of the Ridge will better reveal the scheduled remains. The applicant points out that the land is private and the development will bring the area into safe public access due to occupiers of the development overlooking the site. It is argued that public access will become legal and the provision of public access to the scheduled monument and the provision of information panels will improve its appreciation and understanding. The applicant says they are willing to work with local groups to achieve this improvement and that this accords with the following advice in the National Planning Policy Framework, paragraph 200 of which states:

“Local planning authorities should look for opportunities for new development ... within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.”

The applicant’s archaeological consultant concludes that there is negligible potential for any direct archaeological impact on the Roman Ridge as it is unlikely to be present in the development site.

He also considers that the minimal visual impact of the development on the adjacent scheduled section of the Roman Ridge to the north-east will be mitigated by a design which retains the green linear corridor through the site including a line of sight that is not currently possible, and by enhancement of views as a result of scrub and waste clearance, the incorporation of much improved public access, on-site interpretation for residents and the wider public, and by adopting the advice provided by Historic England in relation to the design.

Whilst the applicant argues that the Roman Ridge did not pass through the application site it should be noted that the Stenton Badcock report which is the new evidence that this view is based on does not reach such a firm conclusion. Whilst the authors consider the outcrop to be the most likely location for the Roman Ridge they consistently emphasise that this cannot be demonstrated conclusively. The report acknowledges the position of the earth embankment on the sandstone outcrop is unclear and it appears to have veered away in the vicinity of Jenkin Road and similar changes of direction may have occurred elsewhere.

The South Yorkshire Archaeological Service (SYAS) has advised the views of both Stenton and Badcock and the applicant’s consultant are plausible and may well prove correct. However they do not present conclusive evidence for the route of the Roman Ridge. For this reason the SYAS advises that the concerns expressed by the Planning Inspector in the last appeal are not addressed in this application.

In your officers’ view the additional information throws some additional doubt on the view of the planning inspector and many of the objectors to the scheme that the Roman Ridge passed through the site. However it is not conclusive, it is an alternative theory; it is simply not known whether it passed through the site or through the houses and gardens of the Beacon Road properties. This seems to be view of Historic England as they have advised that the assessment struggles to definitively rule in or out the exact location of the Roman Ridge in this location and the current alignment and open space should be given weight as an indication of the possible extent of the monument. In conclusion it is your officers’ view that the new information fails to demonstrate conclusively that the line of the Ridge does not run through the site.

Historic England acknowledge that the applicant has endeavoured to respect the open space and alignment of the ridge by limiting the area of development and by maintaining a continuous band of open green space along the whole site. However they consider it will still have some impact on the setting of the Roman

Ridge and Wincobank Hill by reducing the strong green emphasis of the open space along the ridge. This is most critical below the reservoir where there is already a pinch-point.

It is clear that Historic England consider that the harm caused by the proposal to be less than substantial and the Council concur with this view. Government Planning Guidance 'Conserving and enhancing the historic environment' advises that whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting. While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact. However, even minor works have the potential to cause substantial harm. In this case the proposal will affect the context and setting of the Ridge and setting of the Hill Fort, also the ability to appreciate the continuous line of the Ridge. Given this and because the Roman Ridge is a fragmented 16 mile long feature, and that the proposal is not removing an above ground feature it is considered that the harm is less than substantial. The National Planning Policy Framework requires clear and convincing justification for harm that is less than substantial. The harm should be weighed against the public benefits of the proposal.

Given that the Roman Ridge may have passed through the site in this instance the development will make it more difficult to understand the potential alignment of the Roman Ridge and the new housing will affect its setting. The setting of the Roman Ridge on the side of the hillside makes a high contribution to its significance. Although its setting has been affected by housing development it sits within open space so it stands out in contrast to the housing particularly from the south and east where it is meant to be seen from. Based on the indicative plans submitted, the development will only maintain a narrow corridor of open space across the width of the site. The indicative plans and cross sections show the green route would be approximately 4m to 4.5m for the majority of the width of the site part of which would be occupied by a footpath which would be likely to constrain planting within the corridor.

Given the narrowness and steepness of the site it seems unlikely that an alternative layout would provide an opportunity to significantly widen this green route and still achieve the number of properties proposed. It is therefore considered that any green route that could be provided would not perform a meaningful function of defining the possible alignment of the Roman Ridge in the wider landscape. Whilst it would formalise public access across the site on the potential alignment of the Roman Ridge the footpath would feel very much part of a housing estate rather than part of a wider green corridor. The Stanton and Badcock assessment says that the majority of the Roman Ridge has been destroyed in Sheffield and the monuments remaining across Wincobank Hill are a rare and important survival. The monument is a high value heritage asset as it is of national significance and therefore the harmful impacts should be given

significant weight. It is clear from the representations that the Roman Ridge is a valued community asset and important part of the area's cultural heritage.

As stated above the applicant's offer to clear vegetation and improve access and interpretation to the scheduled section of the monument to the north east of the site can be given very little weight as this does not form part of the application and therefore its delivery cannot be guaranteed, in addition the public have not had the opportunity to comment on it. The applicant was advised to demonstrate that they have control over the land in question and that the Council would need to consult local residents whose gardens back on to the land and proposed footpath. The applicant declined to provide this information and include it within the application. The development is not itself an opportunity to enhance or better reveal significance of off-site monuments as that could be achieved without requiring the construction of the housing on the site. The applicant's justification for developing the site is that the Roman Ridge does not pass through the site and the green corridor will reveal the linear nature of the route. However as described above they have been unable to provide conclusive evidence that the route of the Roman Ridge lies elsewhere. In addition the narrow green route which could be retained would not reveal the potential route of the Roman Ridge in the wider landscape or provide an adequate setting for it. The development would however formalise and improve public access to the site and the potential route of the Roman Ridge. It is concluded that the development of the site would obscure the extent and quality of the setting of the Scheduled Ancient Monuments and would undermine the ability to understand their significance. This would conflict with the aims of the UDP policy BE22 and key NPPF objectives. It is considered that the harm is less than substantial for the reasons explained above and therefore the harm needs to be weighed against the public benefits of the proposal.

Open Space

The site lies within an open space area as identified on the Unitary Development Plan Proposals Map. The NPPF says at paragraph 96 that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Paragraph 97 states that existing open space should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

Core Strategy Policy CS47 is concerned with safeguarding Open Space. It says that development will not be permitted where:

- a) It would result in a quantitative shortage of either informal or formal open space in the local area; or
- b) It would result in the loss of open space that is of high quality or of heritage, landscape or ecological value; or

- 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; or
- d) It would cause or increase a break in the city's Green Network

Development that would still result in the loss of open space will only be permitted where:

- As soon as practical, equivalent or better replacement open space would be provided in the local area; or
- The site is identified as surplus for its current open space function and:
 - i) A proposed replacement would, as soon as practicable, remedy a deficiency in another type of open space in the same local area; or
 - ii) It could not fulfil other unsatisfied open space needs
- The development would be ancillary to the open space and have a minimal impact on the use or character of the open space.

Unitary Development Plan policy LR5 is concerned with development in open space areas;

It says that development will not be permitted where:

- It would cause damage to Scheduled Ancient Monuments or other archaeological sites or
- It would result in a significant loss of mature trees or
- It would harm the character or appearance of a Public Space

Core Strategy Policy CS47 is considered to have a high degree of consistency with the NPPF as it consistent with its aims and allows for development in open space under certain circumstances. It therefore should be given significant weight. Policy LR5 is less consistent with the NPPF and therefore should be given less weight as it incorporates a prohibition on development, for example where it would cause damage to Scheduled Ancient Monuments.

The site comprises of informal open space, specifically natural & semi-natural greenspace. An open space assessment has been undertaken which considers whether the amount of open space in the surrounding area meets the Council's guidelines as set out in Policy CS47. In this case there is an abundance of informal open space within 400m of the site and therefore the proposal is not contrary to part a) of Policy CS47.

The open space cannot be considered to be high quality as it is overgrown and consequently much is inaccessible. Crossing the informal footpath that traverses the site involves negotiating mounds and skirting around a ditch. Part of the route passes between tall stands of Japanese knotweed and it is likely that some people would have personal safety concerns about walking across the site. The site does however have heritage value as a possible alignment of the Roman Ridge. The green corridor across the hillside which includes the application site and which incorporates a scheduled section of the Roman Ridge is a visual representation in the wider landscape of the potential alignment of the Roman Ridge and its relationship with Wincobank Hillfort. It also has landscape value as the planting on the site brings a finger of greenery/woodland into the housing area connecting to the open space to the north east and south west which breaks up and relieves the

mass of prominent housing on the hillside in views from the south. Its ecological value is limited as evidenced by the ecological assessment, (see below) but it is still concluded that the proposal is contrary to part b) of Policy CS47 due to the fact it results in loss of open space of heritage and landscape value.

The application site forms part of a much larger area of open space to the west and north of the site which includes publicly accessible areas of woodland and sports pitches. Whilst the informal footpath through the site provides access to this local park for the more adventurous it cannot be considered to be easy access. It is not clear whether a right of access has been established across the site and so it may be the case that the applicant could prevent public access by securely fencing the site. The provision of a formal footpath alongside the road serving the new housing will improve access to the local park for residents.

The number and nature of the representations indicate that the site itself is valued by local residents although the applicant considers it is of little value and has argued that there are antisocial behaviour issues with its use. The impenetrable nature of much of the vegetation and the challenges of using the informal footpath suggest it is not particularly well used. However it seems to be valued by local residents because of its perceived wildlife value, its value in the context of the Wincobank hill fort and Roman Ridge historic monument and also in terms of the amenity value for the occupiers of Beacon Road properties that back on to the site. However as local people do not have easy or safe access to the site because of the difficult terrain it is concluded that the proposal is not contrary to part c) of Policy CS47. Given the views expressed by an Inspector in appeal decision notice APP/J4423/A/04/1138594 para 13 it is considered that it would be difficult to sustain an argument that the proposal will result in a break in the city's Green Network.

Given the inaccessible nature of much of the site and the constraints to access, it provides few opportunities for sport and physical activity which is important for health and wellbeing. The improved footpath link across the site following the development of housing would improve the opportunities for physical activity by improving access to the open space to the west and north. However the NPPF makes it clear that existing open space should not be built on unless an assessment has been undertaken which clearly shows the open to be surplus to requirements.

A key purpose of the open space is its importance in understanding a potential alignment of the Roman Ridge and its context in relation to the Iron Age fort. The applicant argues that this is maintained by the proposed green route which crosses the site from the north east to south west.

As shown on the indicative layout plan the proposed green route is approximately 16m wide at the west end of the site for a distance of approximately 30m. Where it is located to the south of the 6 houses on the south side of the access road it reduces to 4m wide for approximately 50m. This 4m wide section would be located between 2 rear garden fences and given that it is shown as also accommodating a 2m wide footpath there would seem to be limited opportunity for planting. This section would not be well overlooked and it raises concerns about public safety

and antisocial behaviour issues. The green route then widens out to between 4m and 20m wide for a distance of approximately 40m until it runs along the south side of the proposed new access road. For the majority of the rest of the site (approx. 120m) the retained green route would be approximately 4.5m wide. Adjacent to the last 2 houses at the west end of the site it widens out to approximately 7m. The indicative cross sections suggest that this section of green route between the new road and the rear gardens of the Beacon Road properties would be very steep, probably too steep to access on foot although it could clearly be planted. It may need to be narrowed a little to accommodate a screen wall to reduce the impact of overlooking of the gardens of the Beacon Road properties from the footpath and highway. It is considered that the 2/3 storey houses would dominate the site and the landscaping within the green route would not be significant in the wider context. It is concluded that the open space is not surplus to requirements and the proposal is contrary to the NPPF open space policy contained in paragraph 97as it is required to protect the setting of the Ancient Monuments and to break up the massing of the wider housing area.

Ecology

The Unitary Development Plan identifies the site as being within an Area of Natural History Interest. Policy GE13 says development which would damage Areas of Natural History Interest will normally not be permitted. It also says that where development would decrease the nature conservation value of an Area of Natural History Interest, that decrease must be kept to a minimum and compensated for by creation or enhancement of wildlife habitats elsewhere within the site or local area. UDP Policy GE10 (a) says that a network of Green Corridors and Green Links will be protected from development which would detract from their mainly green and open character (see above) or which would cause serious ecological damage. .

An ecological appraisal has been submitted in support of the application. It states that the site consists predominantly of dense, continuous scrub and scattered trees, with small areas of tall ruderals and species poor semi improved grassland. Non-native, invasive Japanese knotweed dominates the centre of the site.

The appraisal states that the site provides hostile conditions for reptiles. The dense scrub that dominates the site fails to provide suitable basking sites which reptiles require.

No signs of badger were identified on site and the site has negligible / low habitat to support this species.

It is not considered to be important for amphibians as there was only one dried out pond on site and a lack of field / garden ponds in the surroundings of the site. No buildings or trees suitable for bat roosts were identified and the site was recorded as having low suitability for use by bats within the locality for foraging/ commuting.

In terms of invertebrates, without surveys the level of usage of the site by invertebrate species is unknown. However the ecological appraisal states that the site is dominated by dense, continuous scrub and scattered trees which provide

sub-optimal habitat for the majority of species recorded within the records search. The site is lacking habitat mosaic, bare earth and suitable food resources for adult and larval invertebrate stages.

The site does not support suitable habitat for any other protected or significant fauna, such as: dormouse; otter; brown hare; water vole or white clawed crayfish.

No habitats present within the site boundary are species rich or of significant interest for their floral species composition. No Local Biodiversity Action Plan Habitats were recorded within the site and no habitats classified as UK BAP Priority Habitats / Habitats of Principal Importance. Small areas of acid grassland recorded in previous surveys carried out in association the last application were absent when the site was surveyed more recently for the latest application.

The ecological assessment says the potential for ground nesting birds is limited by regular disturbance from footfall across the site. It is recommended that, where trees and scrub are due to be removed, it should be done outside of the breeding bird season and should this not be feasible then a pre-felling breeding bird survey should be undertaken by a qualified ecologist.

The site is classified as being part of the Wincobank Local Wildlife Site. Local Wildlife Sites are designated by the Local Wildlife Sites Partnership and defined in a citation sheet. The development will result in the loss of approximately 1.2 ha of currently designated Site of Interest in Nature Conservation habitat which has the same meaning as Local Wildlife Site. However the habitats present within the site were considered to be of limited ecological value and unlikely to currently meet the selection criteria for Local Wildlife Site selection or UK Biodiversity Action Plan Habitat criteria for lowland dry acid grassland, lowland heathland and ancient woodland priority habitat.

The appraisal recommends that the site would benefit from a sensitive planting scheme to be incorporated including native, broadleaved trees and wildflower species to increase invertebrate species and enhance the attractiveness of the site for birds, bats and other fauna. It says that where possible trees on the site boundary should be retained to enhance the site's biodiversity and a biodiversity enhancement plan should be compiled and submitted to the local planning authority.

The City Ecologist has advised that the ecology report is a thorough and comprehensive study of the site carried out according to current best practice and guidance on the reporting and appraisal from the Chartered Institute of Ecology and Environmental Management. The assessment's conclusion is accepted which is that although the site provides some semi-natural habitats for a small range of wildlife at a site based level it can be taken that there are no ecological constraints on the proposed development of the site. The City Ecologist has recommended that if consent is to be granted, an ecological enhancement plan and a scheme for controlling and removing Japanese Knotweed should be required and controlled by conditions.

Therefore it is concluded that the development would not cause serious ecological damage and therefore would not be contrary to Policy GE10 (a).

UDP Policy GE10 (c) states that the network of green corridors and green links will be extended by creating open space in areas of Desired Green Links. Map 4 associated with this policy shows a Desired Green Link entering the application site from Beacon Road and heading North West.

The issue of the Desired Green Link was considered by the Planning Inspector in the appeal against the Council's decision to refuse application 03/00789/FUL. In the decision notice the Inspector noted that the indicative line of the desired Green Link was in his view a longer term policy aspiration and was already blocked by houses in several places. In the appeal decision notice the Inspector states that, "Nevertheless, the proposed development would retain an open corridor across the site between the reservoir and Beacon Road, which, although narrow, would in my view, be consistent with the broad route of the Desired Green Link." The Inspector went on to conclude that the development would not conflict with the UDP Green Link policies. Although the site layout is indicative it shows that the site could be developed whilst retaining an open corridor on the line of the desired link. Given the Inspector's conclusion on this matter in the 2003 decision it would not be sustainable for the Council to argue that the current scheme would cause a break in the City's Green Network.

Amenity Impact

The site slopes steeply down from north west to south east with a fall of approximately 12-13m over a distance of approx. 30-40m with an average gradient of 1 in 3. The central section of the site is more level with steeper gradients to the north western and south eastern boundaries.

There are houses above the site on Sandstone Drive and below the site on Beacon Road. The indicative layout shows a possible way that the site could be developed by extending Sandstone Road into the site with houses facing south east and North West on a similar alignment to existing residential development on the hillside. The housing on the north side of the access road is cut into the hillside at the rear with terraced gardens. The sections suggest there will 3 floors of accommodation at the front and two at the rear. The cross sections suggest the housing on the south side of the access road will provide two floors of accommodation facing the access road and three at the rear.

The indicative layout shows that the new houses could be positioned so that they are between 20m and 27m from the houses on Sandstone Drive which face towards the site. This is sufficient to protect privacy. The outlook of the Sandstone Drive properties will not be significantly affected as the ground level of the existing properties is likely to be around the ridge level of the proposed houses so existing residents will be looking over the top of the new housing.

The Beacon Road houses are at a significantly lower level and the indicative cross sections shows the minimum and maximum separation between the existing and proposed houses to be 28m and 39m respectively but more generally over around

35m. The outlook distances are in excess of the minimum 21m separation which is normally sufficient to protect privacy. The proposed houses will be positioned at such a significantly higher level and the main views from the rear of the Beacon Road properties will be of the steep embankment to the rear of the properties. Taking this into account and the degree of separation it is considered that the new housing will not appear excessively overbearing.

The cross sections are indicative and the levels of the houses would not be fixed if planning permission were granted. The previous application 11/03972/FUL adopted a similar layout and was worked up in detail. The levels of some of the houses were up to 2.5m lower. The element which is likely to have the greatest impact on the Beacon Road properties is the new access road which will be elevated and positioned just beyond the bottom of the gardens of the Beacon Road properties. There is the potential for overlooking and noise and disturbance from use of access road. It was considered that this could be satisfactorily mitigated in the last application by a screen wall and planting of the south side of the access road. If this application were to be granted it is considered that as with the previous application the levels of the houses and access road could be adjusted and this, along with a screen wall would deliver an acceptable relationship between the Beacon Road properties and the access road.

The proposed houses on the north side of the access road are cut into the hillside and indicative sections show terraced rear gardens with substantial retaining walls. The outlook from some of the houses on to the retaining walls is likely to be quite imposing particularly for properties located at the east end of the site. Whilst this is not ideal there is likely to be an acceptable solution in amenity terms as with the previous application and this could be considered in more detail at the reserved matters stage.

In conclusion it is considered that sufficient information is available within this application and the previous application to show that a scheme for 22 houses can be accommodated on the site which would not have an unacceptable impact on the amenities of adjoining residents and provide satisfactory amenity for future occupiers of the houses.

Design

Core Strategy Policy CS 74 says that high quality development will be expected, which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods, including the topography, landforms, river corridors, Green Network, important habitats, waterways, woodlands, other natural features and open spaces.

The existing housing on the Wincobank hillside is prominent and this site would be no exception. In wider views it would be seen in the context of housing both above and below the site which follows the contours on the hillside. However, as explained in the open space section, the housing would remove part of a green finger of open space/woodland that helps to break up the mass of the existing built form on the hillside. In this respect it is considered that it would have a limited harmful impact on the visual amenity of the locality.

Layout, scale and appearance are all reserved matters. The design and access statement and building for life assessment refers to detailed aspects of the design such as building facing material and the number of car parking spaces per dwelling. However approval is not being sought for any of these aspects of the scheme.

The housing surrounding the site comprises of typical semi-detached housing which is of no special character. There is no reason why a satisfactory design cannot be achieved at the reserved matters stage if planning permission is granted.

Stability and Ground Conditions

The National Planning Policy Framework advises that planning decisions should ensure that a site is suitable for its proposed use taking into account ground conditions and any risks arising from land instability and contamination.

Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

In this case a specialist investigation has not been submitted with the application. This is because the application is in outline and the applicant wants to establish the principle of the development given the previous refusal and appeal decision. However a ground investigation report including recommendations for action was submitted with the last application 11/03972/FUL. Whilst the previous application was for full permission it had a similar layout to the indicative layout currently proposed. The investigation referred to trial pits and bore hole excavated in 1995 and 2000 and tests carried out on the load bearing capacity of the land. It covered a methodology for constructing the road and embankment. It also made recommendations regarding drainage trenches in case of leakages from the reservoir or springs on site and a drainage trench to prevent surface water permeating into neighbouring gardens. It stated that retaining walls would need to be designed to resist sliding and overturning and the houses on the south side of the road should have either piled or deep steeped trench footings. At that time the Council's Building Control section were consulted and they advised that report was comprehensive and had been prepared by a reputable firm of engineers and they had no reason to disagree with the conclusions reached that the site could be safely developed.

Given the above there is considered to be no reason why the site could not be developed safely with appropriate engineering precautions taken. The building regulations process will ensure house foundations are appropriate and the developer's engineer would be responsible for ensuring the retaining walls are appropriately designed. As the highway will need to be adopted as it will serve more than 5 houses the Council's highway adoptions section will want to ensure the road is designed to appropriate engineering standards so that it does not result in any unexpected liabilities. If permission is granted an informative could be attached advising the applicant to seek appropriate technical advice with respect to construction/stability and drainage issues.

The site lies within a Coal Mining High Risk Area. The Coal Authority says the site is subject to historic recorded and likely unrecorded coal mine workings at a shallow depth. Their records indicate a coal mine entry which poses a significant risk to stability and building over the top of it should be avoided wherever possible. They consider the coal mining risk assessment submitted with the application to be satisfactory. They have no objections to the proposed development subject to a condition requiring site investigations to be carried out and should these show the need for remedial works that they are carried out before development commences.

The coal mining report submitted in support of the application recommends intrusive site investigations to assess risks from mine gases. This could be the subject of a planning condition along with conditions requiring remediation to be carried out and validated if necessary.

Access Issues

The National Planning Policy Framework advises that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Applications should give first priority to pedestrian and cycle movements and to facilitate access to high quality public transport.

Access is a reserved matter and therefore the design of the new access road and parking arrangements within the site will be subject to a future application should consent be granted.

It is considered that the existing road network can adequately accommodate the traffic associated with an additional 22 houses. Although there is significant on street parking on Sandstone Road a far larger number of houses are already able to safely access their properties with this constraint. The on street parking and traffic calming measures serve to reduce traffic speeds on Sandstone Road.

If permission is granted a stepped footpath link between the site and Beacon Road could be conditioned (with the agreement of the applicant) as it appears to be the intention of the applicant to provide this to improve permeability and sustainable access. A footpath link to the open space to the west could also be conditioned.

During construction there will undoubtedly be some disturbance and disruption resulting from construction traffic. However this will only be temporary and conditions could be imposed requiring a construction traffic management plan to include details of construction compound and contractors parking.

Sustainability

There is a presumption in favour of sustainable development as outlined in the policy section above.

The application site is considered to be reasonably sustainably located. It is situated within the urban area and there is a school, convenience store and open space within 400m of the site. There are bus stops on Sandstone Road and Jenkin

Avenue, within 400m of the site which are served by half hourly services that connect to Meadowhall and Sheffield Interchanges. The site is located in the lowest flood risk zone and therefore is not at risk of flooding.

Whilst the development is sustainably located it cannot be considered to be sustainable development because of its impact on the heritage value of the Ancient Monuments and the loss of open space of landscape value which is also valued by the local community.

Policy CS 65 'Renewable Energy and Carbon Reduction' states that all significant developments will be required, unless this can be shown not to be feasible and viable, to provide a minimum of 10% of their predicted energy needs from decentralised and renewable or low carbon energy. This could be conditioned if permission were to be granted.

The supporting statement says that the development will include hot water provided by photovoltaic panels, A+++ white goods will be installed, insulation will be installed to achieve code for sustainable homes 5-6 and designed to achieve a BREEAM Very Good certificate (subsequently clarified to be BREEAM Home Quality Mark of 4 stars). Materials will be sustainably sourced and electric plug-ins for vehicles will be provided to all dwellings along with a rainwater harvesting system for every dwelling. Whilst these features are welcomed only the renewable energy could be secured by condition given the current policy climate.

Flood Risk and Drainage

The application site area is 0.9 hectare and lies in flood zone 1 which has a low probability of flooding.

The flood risk and drainage statement advises that due to the predominantly low permeability of the local geology, the potential for groundwater seepages / springs and steep sloping topography, a high proportion of incident rainfall will form surface water runoff. The potential sources of flood risk are surface water run-off and the failure of the reservoir. The submission advises that any springs or seepages encountered would be managed within the onsite drainage system. Any works within the vicinity of the reservoir and associated pipe work would be managed by a site engineer to ensure the integrity of the reservoir.

The site is not actively drained and existing surface water run-off will flow towards the Beacon Road properties. The additional hard surfacing resulting from the development has the potential to increase run-off rates and therefore the surface water management proposals should seek to not increase run-off rates and volumes.

The flood risk and sustainable drainage statement says that foul water will discharge to the public combined sewer and surface water will discharge to public combined sewer with storage on site to restrict run off to 8 litres/second which is the Greenfield run-off rate for the site. Underground storage would be required to attenuate the run-off and sustainable urban drainage techniques would be used with due consideration given to ground stability constraints and the potential flood risk to down-slope properties on Beacon Road.

The Lead Local Flood Authority considers the submitted surface water drainage strategy is satisfactory and recommends that conditions can be attached to limit the surface water discharge rate and to require full details of the surface water drainage design to be submitted for approval.

Yorkshire Water has no objections subject to standoff distances of 3m for development and 5m for trees from the sewer centre line. They advise that it is permissible for roads to be located over sewers provided there is no additional loading and protection measures are implemented during the construction phase. They also recommend conditions regarding separate systems of drainage and restrictions on the discharge rate.

Community Infrastructure Levy

The site lies within the north east area where the CIL charge is £0 per sqm.

Affordable Housing

The site lies within the north east affordable housing area where the contribution is 0%.

RESPONSE TO REPRESENTATIONS

There is no reason to assume that new housing will lead to an increase in antisocial behaviour. In fact it is usually accepted that the increased natural surveillance resulting from new housing benefits public safety and security. Core Strategy Policy CS26 seeks to ensure the efficient use of housing land and sets a density range of 30-50 dwellings per hectare for a location such as this. The density of development would be in the range of 20 dwellings per hectare. However the above policy acknowledges that densities outside the preferred ranges will be allowed where they achieve good design, reflect the character of the area or protect a sensitive area. In this case due to the topography of the site lower density would be justified to reflect the character of the area.

Housing need figures are now set by the Government and Sheffield is predicted to have a rising population which along with falling household sizes means that there is a need for additional housing. 22 additional houses are unlikely to have a significant impact on the demand for services in the local area and might help to support local shops/pubs. The responsible bodies for the provision of health services can access additional funding if this is justified by the growth in demand. In addition the Community Infrastructure Levy is intended to replace funding for additional school places that would otherwise have been secured through the planning process.

Immediate neighbours of the site were consulted and site notices displayed on Sandstone Road, Beacon Road and adjoining the footpath leading from Beacon Road to the public open space to the south east of the site.

SUMMARY AND RECOMMENDATION

The archaeological evidence submitted in support of the application adds a little more weight to the argument that the Roman 'Ridge passed below the site rather than through the site by promoting a theory that it followed the alignment of the Parkgate Sandstone outcrop which faulted below the site. However there is no firm evidence of this and it could also have passed through the site; a view which the Planning Inspector inclined towards in the 2013 appeal. Neither Historic England nor the South Yorkshire Archaeological service concludes that the new information provides convincing evidence that it did not pass through the site. There is therefore no strong case for departing from the last appeal Inspector's conclusion:

- That the site and the adjoining land provide the context and setting for the separate parts of the ridge and the course of the ridge is part of the archaeological and historic landscape setting of the hillfort.
- That the ability to appreciate the continuous line of the Ridge is vital to understanding its overall form and nature, its historic significance and its relationship to the hillfort.

Building on the site would detract from the setting of Ancient Monuments and undermine the ability to understand their significance. It is considered that the indicative narrow green route across the site would allow the public to walk along a potential route of the Roman Ridge across the site but it would be dominated by the new housing. It would be a poor compensation for the wider green space within which the potential route of the Roman Ridge sits at the moment and would be unlikely to be appreciated in the wider landscape. The proposal therefore remains contrary to the Unitary Development Plan Policy BE22, Core Strategy Policy CS47 (b) and paragraph 192 of the NPPF.

In your officers' view the harm to the heritage assets is less than substantial. Paragraph 194 of the NPPF advises that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 196 says that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

In this case the public benefits of the proposal are the construction of 22 houses in a reasonably sustainable location when the city cannot demonstrate a 5 year supply of housing which has been tested in accordance with the NPPF. The housing could help to meet the needs of disabled people and be sustainably designed and the Council could have nomination rights. However these benefits are very uncertain for the reasons explained above and therefore should be given very limited weight. The applicant has also offered enhancement of access and improved interpretation of the schedule section of the Roman Ridge to the north east of the site although this can be given no weight as the applicant has declined to include this within the application boundary. The footpath along the extension of Sandstone Road providing improved access into the wider open space to the south west of the site is a benefit of the proposal as is the economic activity generated by the construction of the houses, both of which should be given some weight.

In addition to the harm to the heritage interest of the Scheduled Ancient Monuments the development would result in the loss of open space which is of landscape value in breaking up the mass of housing on the hillside in wider views and it is also valued by the local community. Therefore development will be contrary to Policy CS47b).

The presumption in favour of sustainable development in paragraph 11 of the NPPF means granting planning permission where the policies most important for determining the application are out-of-date, unless the policies in the framework protecting assets of particular importance provide a clear reason for refusal or any adverse impacts are significantly outweighed by the benefits.

Footnote 6 to paragraph 11 of the NPPF advises that designated heritage assets are assets of particular importance and as the proposal would have a harmful impact on the setting of the Ancient Monuments which would undermine the ability to understand their significance, this provides a clear reason for refusing the application. It is therefore recommended that planning permission be refused.