
Case Number	19/00054/FUL
Application Type	Full Planning Application
Proposal	Erection of 430 dwellings with associated infrastructure including means of access, all-purpose bridge, drainage, open space and landscaping works
Location	Land East Of The River Don And To The South West Of Station Road Deepcar Sheffield S36 2SQ
Date Received	02/01/2019
Team	West and North
Applicant/Agent	Bloor Homes LTD
Recommendation	Grant Conditionally Subject to Legal Agreement

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

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

Approved/Refused Plan(s)

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

TO BE PROVIDED IN SUPPLEMENTARY REPORT

Reason: In order to define the permission.

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

3. No development shall commence until supplementary intrusive site investigations and risk assessment in respect of contaminant impact to groundwater on the access land (west of the river) and surface waters has been carried out and a

Phase II be the subject of a Phase II Intrusive Site Investigation Report has been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

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

4. Any remediation works recommended in the approved Phase II Intrusive Site Investigation Reports in respect of both the access land (to the west of the river) and the main site shall be the subject of a single detailed Remediation Method Statement which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

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

5. No phase of development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of that phase have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points and the information shall demonstrate that the use of the site access via Station Road has been kept to a minimum.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

6. Before each phase of the development commences, a strategy to control/mitigate dust and emissions from the corresponding construction phase shall be submitted to and approved in writing by the Local Planning Authority. The construction phase(s) shall be carried out in accordance with the approved details thereafter.

Reason: In order to help mitigate the effects of dust and construction traffic during the construction phase

7. No development shall commence until full details of measures to protect the existing trees to be retained, including the trees set to the west adjacent to the riverbank, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented.

These measures shall include a construction methodology statement, including for the retaining wall adjacent to the riverbank to minimise any impacts, and plans showing accurate root protection areas and the location and details of protective fencing and signs.

Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of

storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way.

The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

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

8. No excavations that could result in mine water contamination being emitted to the River Don shall be commenced until:
- a) Comprehensive design details for a mine water treatment facility (MWT Facility) have been submitted to and approved in writing by the Local Planning Authority. These details shall include the measures proposed for the collection, treatment and disposal of the mine water, along with the details for the removal of sludge from the site.
 - b) The MWT Facility has been constructed in accordance with the approved design details and made available for use for treatment of mine water from the site.
 - c) Plans for the long term management and maintenance of the MWT Facility have been submitted to and agreed in writing by the Local Planning Authority.

Thereafter the MWT Facility shall be managed and maintained in accordance with the approved details.

Reason: To protect the River Don (Main River) against the effects of mine water from the development site.

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

9. No development other than the earthworks and remediation as detailed within the email received on the 22nd of April 2020 (sent by the Planning Director at Bloor Homes Midlands) shall commence until full details of the timescale and process for the decommissioning and relocation of the Waste Water Treatment Works as identified on the Odour Reduction Plan (Ref: M1075-SL-015F) published on 21 February 2020, have been submitted to and approved in writing by the Local Planning Authority.

No dwellings hereby permitted other than those 100 dwellings identified within the Odour Reduction Plan (Ref: M1075-SL-015F) published on 21 February 2020 shall be occupied until the existing Waste Water Treatment Works has been decommissioned in accordance with the approved details.

Reason: In the interests of the amenities of future residents.

10. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage,

for surface water have been completed in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.

11. No development other than the earthworks and remediation as detailed within the email received on the 22nd of April 2020 (sent by the Planning Director at Bloor Homes Midlands) shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved in writing by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

12. No development other than the earthworks and remediation as detailed within the email received on the 22nd of April 2020 (sent by the Planning Director at Bloor Homes Midlands) shall commence until detailed proposals for surface water disposal, including calculations have been submitted to and approved in writing by the Local Planning Authority. Surface water discharge from the completed development site shall be restricted to a maximum flow rate of QBar based on the area of the development. An additional allowance shall be included for climate change effects for the lifetime of the development. Storage shall be provided for the minimum 30 year return period storm with the 100 year return period storm plus climate change retained within the site.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

13. Prior to construction of the proposed attenuation basin, details of the design of the basin profiles and how they function, landscaping, material finishes of the inlets and outlets and other structures serving this basin shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the basin shall be constructed in accordance with the approved details.

Reason: In the interests of sustainable development.

14. Other than the earthworks and remediation as detailed within the email received on the 22nd of April 2020 (sent by the Planning Director at Bloor Homes Midlands) no phase of development shall commence until details of the implementation, adoption, maintenance and management of the sustainable drainage system

relating to that phase have been submitted to and approved in writing by the Local Planning Authority.

Those details shall include a timetable for implementation, and a management and maintenance plan for the lifetime of the development/phase, which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the effective operation of the sustainable drainage system throughout its lifetime.

The approved system(s) shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: In the interests of sustainable development and given that drainage works are one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences in order to ensure that the proposed drainage system will be fit for purpose.

15. Other than the earthworks and remediation as detailed within the email received on the 22nd of April 2020 (sent by the Planning Director at Bloor Homes Midlands) no phase of development shall commence until a report has been submitted to and approved in writing by the Local Planning Authority identifying how a minimum of 10% of the predicted energy needs of the completed corresponding phase will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy.

Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the relevant phase is occupied, and a report shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation of the corresponding phase. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.

Reason: In order to ensure that new development makes energy savings in the interests of mitigating the effects of climate change and given that such works could be one of the first elements of site infrastructure that must be installed it is essential that this condition is complied with before the development commences.

16. Other than the earthworks and remediation as detailed within the email received on the 22nd of April 2020 (sent by the Planning Director at Bloor Homes Midlands) no phase of development shall commence until full details of vehicle charging points within the scheme, which shall number a minimum of five and include a timetable for implementation, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details thereafter.

Reason: In the interests of mitigating the effects of climate change.

17. Other than the earthworks and remediation as detailed within the email received on the 22nd of April 2020 (sent by the Planning Director at Bloor Homes Midlands) no phase of development shall commence until a detailed Inclusive Employment and Development Plan for that phase, designed to maximise opportunities for employment and training from the construction phase of the development, has

been developed collaboratively with Talent Sheffield and submitted to and approved in writing by the Local Planning Authority.

The Plan shall include a detailed Implementation Schedule, with provision to review and report back on progress achieved, via Talent Sheffield, to the Local Planning Authority. Thereafter the Plan shall be implemented in accordance with the approved details.

Reason: In the interests of maximising the economic and social benefits for Sheffield from the construction of the development.

18. Before any building is occupied full details of proposals for the inclusion of public art within the application site, including a timetable for delivery, shall have been submitted to and approved in writing by the Local Planning Authority.

The public art proposals shall then be implemented in accordance with the agreed details.

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

19. Prior to any development commencing a further assessment shall be carried out by a suitably qualified person to establish the presence of badgers on the site and, if appropriate, mitigation measures shall be put forward to ensure undue harm does not occur in relation to this protected species. The development shall be carried out in accordance with these mitigation measures thereafter.

Reason: In the interests of ecology.

20. Other than the earthworks and remediation as detailed within the email received on the 22nd of April 2020 (sent by the Planning Director at Bloor Homes Midlands) no phase of development shall commence until a detailed method statement for the promotion of biodiversity and ecology across the site and along the riverbank to the west of the site has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include:

- a) The purpose and objectives for the statement.
- b) The extent and location of proposed works shown on appropriate scale maps and plans.
- c) The timetable for implementation.
- d) Initial aftercare and long-term maintenance/management.
- e) Disposal of any wastes arising from works.
- f) External artificial lighting design, which should limit any impact to the adjacent river corridor to the west of the site.
- g) The location of bird and bat boxes within the development.

The works/development shall be carried out strictly in accordance with the approved details thereafter, including any ongoing aftercare and long-term maintenance.

Reason: In the interests of ecology and biodiversity promotion.

21. Prior to commencement of works adjacent to the railway undertaker's boundary fence to the east, full details of associated excavations and earthworks to be

carried out should be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details thereafter.

Reason: To ensure the stability of railway infrastructure/land.

22. Within three months of development commencing details of a planting scheme designed to 'soften' the appearance of the new retaining wall facing the riverbank to the west of the site, including a timeframe for implementation and an ongoing maintenance plan, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details thereafter.

Reason: To ensure an appropriate quality of development.

23. Prior to the occupation of any phase of the development, a detailed Travel Plan(s) associated with that phase, designed to: reduce the need for and impact of motor vehicles; increase site accessibility; and to facilitate and encourage alternative travel modes, shall have been submitted to and approved in writing by the Local Planning Authority.

Detailed Travel Plan(s) shall be developed in accordance with a previously approved Framework Travel Plan for the proposed development where that exists.

The Travel Plan(s) shall include (as relevant):

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

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

Reason: In the interests of delivering sustainable forms of transport, in accordance with the Transport Policies in the adopted Unitary Development Plan for Sheffield and Core Strategy.

24. At all times that construction work is being carried out equipment shall be provided to the satisfaction of the Local Planning Authority for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Before the corresponding phase of the development is commenced full details of such equipment shall have been submitted to and approved in writing by the Local Planning Authority.

When the above-mentioned equipment has been provided thereafter such equipment shall be used for the sole purpose intended in all instances and be properly maintained.

25. Within three months of development commencing on any apartment block full details of the cycle parking accommodation and bin storage associated with that block, including stands and secure shelters (as relevant) which are enclosed on four sides with a lockable door and windows, shall have been submitted to and approved in writing by the Local Planning Authority. Before first occupation of the relevant block the approved details shall be in place and thereafter such bin/cycle parking accommodation shall be retained.

Reason: In the interests of delivering sustainable forms of transport.

26. No development shall commence until the improvements (which expression shall include traffic control, pedestrian and cycle safety measures) to the highways listed below have either:

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

Highway Improvements:

1. Provision of signal controlled site access with pedestrian crossing facilities and advance stop lines for bicycles (MOVA operated).
2. Provision of bus stop facilities (including the provision of shelters and raised footways to ease boarding/alighting) at 4 locations to be agreed in writing by the Local Planning Authority.
3. A change of operating mode at Vaughton Hill traffic signals from vehicle detection to MOVA operation and provision of advance stop lines for bicycles.
4. Provision of measures to assist pedestrians crossing Manchester Road in the vicinity of the proposed southern emergency access en route to the proposed northbound bus stop likely to comprise a pedestrian refuge with speed traffic management.
5. Provision of improvements to the surfacing of the bicycle connection to the Trans Pennine Trail (No 67) from the end of Station Road in a southerly direction, in substantial accordance with the alignment indicated in dashed markings on the submitted drawing number M1075-EN-333 (Cycle Route Layout Plan) to a rural standard.
6. The provision of wayfinding signage for cyclists within the site.
7. Any Traffic Regulation Order (waiting/loading/revised speed limit) in the vicinity of the development site that is required as a consequence of the development, entailing advertisement, making and implementing the Traffic Regulation Order subject to the usual procedures (including provision of regulatory signs and road markings in accordance with Traffic Signs, Regulations and general Directions 2016).
8. Any accommodation works to general street furniture (including to any street lighting columns) deemed necessary as a consequence of development.

Reason: To enable the above-mentioned highways to accommodate the increase in traffic, which, in the opinion of the Local Planning Authority, will be generated by the development, and in the interests of protecting the free and safe flow of traffic on the public highway it is essential that this condition is complied with before any works on site commence.

27. Notwithstanding the submitted plans, before any of the following elements of the development commence, full details shall have been submitted to and approved in writing by the Local Planning Authority. The various elements shall have been provided in accordance with the approved details prior to occupation of the dwellings associated with that phase:

a) Geometry of the internal access road layout (including swept path analysis) to self-regulate vehicle speeds to no greater than 20 mph whilst at the same time being able to accommodate refuse vehicles (12.2 metres Mercedes Econic, 4 axles, mid rear axle self-steer type).

b) Full construction details of the internal access road (long sections and cross sections) including fill material supporting the access road upon leaving Manchester Road.

c) A dilapidation survey of any structures supporting Station Road along the development site boundary and repair or improvement works where appropriate.

Reason: In the interests of the safety of road users.

28. Before that part of the development commences full details of the proposed surfacing of individual and private drives shall have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the drives shall be implemented in accordance with such approved details and retained thereafter.

Reason: In the interests of ensuring satisfactory pedestrian and vehicular access arrangements.

29. Before that part of the development commences full details, including long sections, of the proposed surfacing and setting out of the shared cycleways/footways shall have been submitted to and agreed in writing by the Local Planning Authority. Thereafter, these elements of the scheme shall be implemented in accordance with such approved details and retained thereafter.

Reason: In the interests of ensuring satisfactory pedestrian and cycling facilities.

30. No development other than the earthworks and remediation as detailed within the email received on the 22nd of April 2020 (sent by the Planning Director at Bloor Homes Midlands) shall commence until a phasing plan shall have been submitted to and approved in writing by the Local Planning Authority. The relevant phasing conditions within this notice shall accord to this agreed phasing plan thereafter, unless an alternative phasing plan is subsequently agreed. The earthworks and remediation as detailed with the email received on the 22nd of April 2020 shall constitute Phase One.

Reason: In order to define the permission and to ensure each phase can be delivered in an appropriate manner.

31. No development other than the earthworks and remediation as detailed within the email received on the 22nd of April 2020 (sent by the Planning Director at Bloor Homes Midlands) shall commence until full details of protection measures to be placed on top of proposed retaining walls, including a timetable for implementation, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details thereafter.

Reason: In the interests of the safety of the future occupiers of the development.

32. No phase of residential accommodation hereby permitted shall be occupied unless a scheme of sound insulation works has been installed for that phase and thereafter retained.

Such scheme of works shall:

a) Be based on the findings of the noise report by SLR Consulting Ltd (Ref: 416.08919.00002) dated November 2018.

b) Be capable of achieving the following noise levels:

Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);

Living Rooms & Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);

Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);

Bedrooms: LAFmax - 45dB (2300 to 0700 hours).

c) Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.

Before the scheme of sound insulation works is installed full details thereof shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the future occupiers of the building.

33. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

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

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

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

35. Before any construction works commence in relation to retaining structures supporting both existing and proposed public highway, full details of these structures as relevant to the corresponding phase shall have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include protection measures/fences placed on top of the structures, the full detailed design of the structures, construction drawings with cross-sections and structural

calculations, the method of construction and a timetable for implementation. The retaining structures shall have been provided in accordance with the aforementioned approved details, including the timetable for implementation.

Reason: In the interests of the safety of future occupants of the development.

36. Before any of the houses/apartments become occupied full construction details; method of operation; timetable for implementation; and location of an access control barrier on Station Road, shall have been submitted to and approved in writing by the Local Planning Authority. The access control barrier shall be provided in accordance with the aforementioned approved details and once in place it shall be maintained and retained in accordance with these details at all times thereafter. At no time shall vehicular access into the site for future residents be permitted via Station Road.

Reason: In the interests of the safety of future occupiers of the development and to prevent an intensification of the use of Station Road upon completion of the development.

37. Large scale details associated with the relevant phase, including materials and finishes, at a minimum scale of 1:20 of the items listed below, shall be approved in writing by the Local Planning Authority before the relevant part of the corresponding phase commences:

- a) Windows, including reveals.
- b) Doors.
- c) Eaves and verges.
- d) Canopies.
- e) Soffits.

Thereafter, the works shall be carried out in accordance with the approved details.

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

38. Before development commences on any relevant phase details of any substation(s) associated with the corresponding phase shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these details thereafter.

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

39. Before any works commence to alter the existing stone wall fronting Manchester Road final details of these alterations shall have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with these details thereafter.

Reason: To ensure an appropriate quality of development.

Other Compliance Conditions

40. Where access driveways give both vehicular and pedestrian access to a dwelling, the driveway shall be at least 3.2 metres in width.

Reason: In the interests of the safety of road users.

41. The gradient of shared pedestrian/vehicular access shall not exceed 1:10.

Reason: In the interests of the safety of road users.

42. Unless otherwise agreed in writing by the Local Planning Authority, the development shall not be used unless visibility splays have been provided each side of the site access having the dimensions 4.5 x 70m. Thereafter, such splays shall be retained and no obstruction within the splays shall be allowed above a height of 600mm.

Reason: In the interests of the safety of road users.

43. No removal of hedgerows, trees or shrubs, or the demolition of structures that may be used by breeding birds, shall take place between 1st March and 31st August inclusive, unless a qualified ecologist has undertaken a detailed check for active birds' nests immediately before the vegetation is cleared, or demolition works commence and any recommendations are implemented.

Reason: In the interests of ecology.

44. The development shall be carried out in accordance with the submitted flood risk assessment (Ref: 5001-UA006747-UU41R-06 prepared by ARCADIS and dated December 2018) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 131.85 metres above Ordnance Datum (AOD) (0.5%AEP 600mm).
- There shall be no ground raising within the 0.5% AEP flood extent.
- There shall be no residential development located within the 0.5% AEP flood extent.
- Bridge soffit levels shall be set no lower than 131.22mAOD.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

45. Before the associated phase of development is occupied any new and/or improvements to areas of open space, landscaping and foot/cycleways identified as forming part of that phase shall have been constructed in accordance with the approved plans and any subsequent details approved as part of complying with relevant planning conditions.

Thereafter the landscaped areas shall be retained and soft landscape areas shall be cultivated and maintained for a period of 5 years from the date of implementation, relevant to the corresponding phase, and any plant failures within that 5 year period shall be replaced.

Reason: To ensure an appropriate quality of development and safe environment for future users.

Attention is Drawn to the Following Directives:

1. The applicant is advised that 'Talent Sheffield' is a Sheffield City Council initiative delivered through the Invest Sheffield and Opportunity Sheffield teams, to ensure that investors and developers in the City receive the support required to meet the commitments in the Inclusive Employment and Development Plan and deliver the maximum possible benefits to Sheffield people and its communities.
2. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

3. It is strongly recommend the applicant employees the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance.

The following document may also be useful: Department for Communities and Local Government: Preparing for floods
<http://www.planningportal.gov.uk/uploads/odpm/400000009282.pdf>

4. Method statements may require to be submitted to Network Rail's Asset Protection Project Manager at the below address for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan. Where appropriate an asset protection agreement will have to be entered into. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. "possession" which must be booked via Network Rail's Asset Protection Project Manager and are subject to a minimum prior notice period for booking of 20 weeks. Generally if excavations/piling/buildings are to be located within 10m of the railway boundary a method statement should be submitted for NR approval.

Asset Protection Project Manager
Network Rail (London North Eastern)
Floor 3B
George Stephenson House

Toft Green
York
Y01 6JT
Email: assetprotectionlneem@networkrail.co.uk

5. Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.
6. All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.
7. The applicant should be aware that there is an Intermediate pressure gas pipeline in Manchester Road and Cadent Gas should be liaised with before any new entrances or bellmouths are constructed in this area.
8. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
9. Where highway schemes require developers to dedicate land within their control for adoption as public highway an agreement under Section 38 of the Highways Act 1980 is normally required.

To ensure that the road and/or footpaths on this development are constructed in accordance with the approved plans and specifications, the work will be inspected by representatives of the City Council. An inspection fee will be payable on commencement of the works. The fee is based on the rates used by the City Council, under the Advance Payments Code of the Highways Act 1980.

If you require any further information please contact:

Mr S Turner
Highway Adoptions
Highways Maintenance Division
Howden House, 1 Union Street
Sheffield
S1 2SH

Tel: (0114) 273 4383
Email: stephen.turner@sheffield.gov.uk

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

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

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

Tel: (0114) 273 6349
Email: james.burdett@sheffield.gov.uk

11. Before commencement of the development, and upon completion, you will be required to carry out a dilapidation survey of the highways adjoining the site with the Highway Authority. Any deterioration in the condition of the highway attributable to the construction works will need to be rectified.

To arrange the dilapidation survey, you should contact:

Highway Co-Ordination

Telephone: 0114 273 6677
Email: highways@sheffield.gov.uk

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

Telephone: 0114 273 6677
Email: highways@sheffield.gov.uk

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

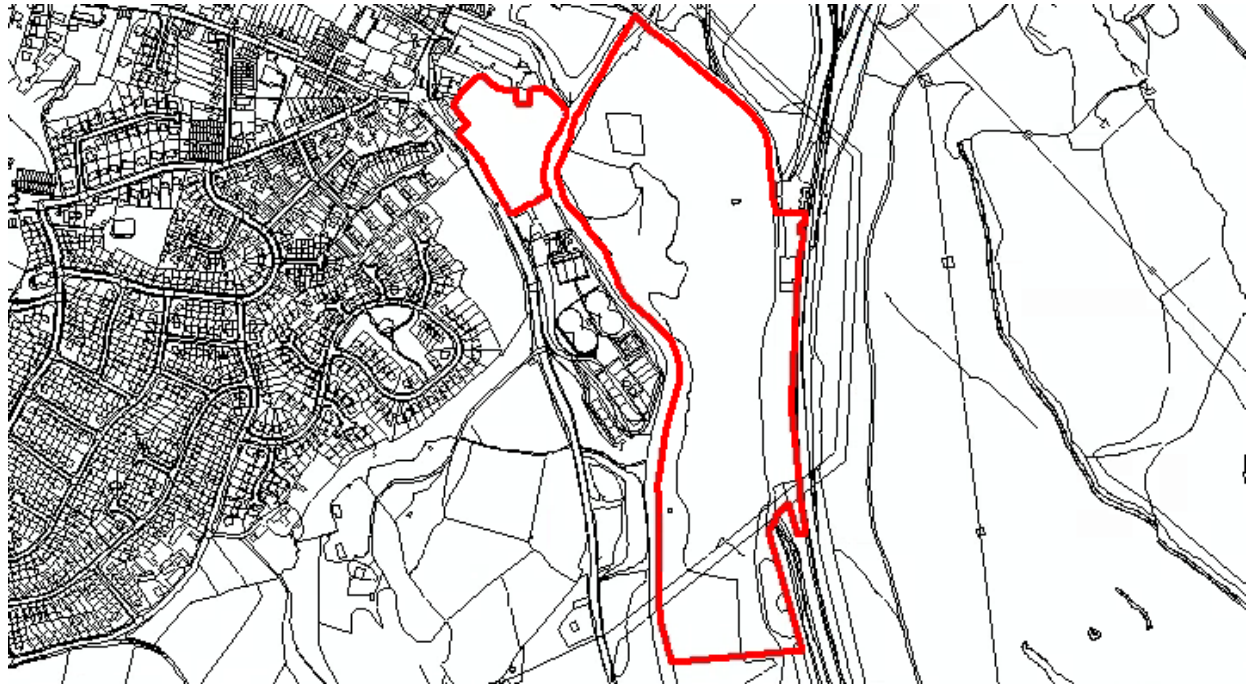
13. By law, this development requires the allocation of official, registered address(es) by the Council's Street Naming and Numbering Officer. Please refer to the Street Naming and Numbering Guidelines on the Council website here:

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

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

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

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

LOCATION AND PROPOSAL

The application site is located to the east of Deepcar on land previously used for industrial and mining purposes, principally by R G Stein Brickworks. It covers an area of approximately 16 hectares and has been partly remodelled and subject to remediation works to address contamination problems associated with the former uses.

The bulk of the site lies to the east of the River Don comprising a linear parcel of land rising from the river to the west facing valley side where the land is steepest. Above this point lies a railway line, which adjoins the application site, and Wharncliffe Crags and Woods. A smaller part of the site set to the north lies across the River Don and has a frontage to the main A6102 Manchester Road.

To the immediate south of this smaller parcel on the same side of the river is Stocksbridge Waste Water Treatment Works which is separated from the application site by a small parcel of land containing Midge Hall, a refurbished former farmstead.

On the north side of the site are a number of commercial and industrial uses which are served by Station Road and there are also a small number of houses here.

The larger part of the site is subject to an approximate 20 metre fall in level from east to west which would necessitate retaining structures to enable development to be accommodated within the changing site levels.

The site has a long planning history which is given in more detail later but includes:

- The grant of planning permission for a residential development of 413 dwellings under reference 14/00318/FUL.
- The approval of a Section 73 application associated with the previous 2014 approval under reference 17/03797/FUL.

This current application proposes to erect 430 dwellings on the site and these are made up of:

- 16 one bedroom units.
- 63 two bedroom units.
- 140 three bedroom units
- 211 four bedroom units.

There are also associated infrastructure works proposed to create new roads and open spaces within the site area, which will also see the creation of a balancing pond and a minewater treatment facility.

The applicant intends to create two main development platforms in order to re-profile and retain the existing material across the site with 355 units on the lower section and 75 units on the upper platform. This has resulted in several substantial retaining structures. The applicant has cited a number of associated benefits with

this approach, including an expedited construction process and the removal of a significant number of associated HGV movements.

Following revisions, provision has been made for a rail halt, as has been the case with previous approvals on this site. In addition, a 'loop road' has been introduced to link the upper and lower development platforms to remove the need for Station Road to be used as a general access point into the site. It is also noteworthy that the previously approved pedestrian bridge across the River Don, linking the site with Manchester Road (A6102), is no longer proposed owing to practical difficulties and viability implications.

The main bulk of the site lies within a designated Fringe Industry and Business Area as defined by the adopted Sheffield Unitary Development Plan, with a small section of land to the south of the site sitting within an Open Space Area. In addition, the site has several further designations including:

- A small area that benefits from a Tree Preservation Order on the western bank of the River Don.
- An Area of Natural History Interest designation
- Sections of ancient woodland that run parallel with the River Don.
- A large part of the site forms a Coal Mining Development High Risk Area.
- An Area of Special Character adjoins the north-west corner of the site.
- The Green Belt lies across Manchester Road to the west of the site and across the open land to the east of the application site.

PLANNING HISTORY

03/00020/OUT - Residential and mixed use development granted with legal agreement on 15 June 2007.

10/01915/REM - Erection of 341 dwelling houses with associated car parking and landscaping works relating to 03/00020/OUT granted on 3 October 2012.

14/00318/FUL - Residential development comprising 413 dwellings with associated car parking accommodation, landscaping works, access roads, bridge, site infrastructure and open space granted in October 2016.

17/03797/FUL - Application to remove restriction on the construction of dwellings, removal of visibility splays and alter the shared pedestrian/vehicular access gradient (Application under Section 73 to vary conditions as imposed by planning permission No. 14/00318/FUL) granted in January 2018.

Environmental Impact Assessment

The proposed development falls within Schedule 2, Part 10 (b) (ii) Urban Development Projects of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as it exceeds the identified thresholds. However, given the localised nature of the impacts, as described in detail in this report, the application did not need to be accompanied by an Environmental Statement.

REPRESENTATIONS

a) Fourteen representations have been received from members of the public and these raise the following matters:

- A number of points are raised concerning the initially proposed use of Station Road as the only dedicated access for 75 residential units.
- Following the submission of additional information two representations have been received welcoming the proposal not to use Station Road to service dwellings and a request is made for an appropriate planning condition to secure this. It is also questioned how this will be enforced.
- Traffic is generally a problem in the area with existing roads very busy and the proposed development will make matters worse.
- The proposed access onto Manchester Road is dangerous given the fast nature of this road.
- The proposal will place excessive strain on local schools and doctors surgeries.
- The large retaining wall between the river and the development could create a danger to life for people who fish in the river and may need an escape route along with other people who access this land. The site should be sloped and a smaller wall introduced, along with more access points.
- The proposal will create noise pollution.
- Air quality is an issue in this location and no monitoring has been submitted with this application.
- The scheme has not been accompanied by an Environmental Impact Assessment.
- The public consultation carried out by the developer was done incorrectly and was biased. It should not be offered any significant weight as a result.
- The plans no longer allow for the planned railway access in contrast to the previous schemes.
- The developer should provide the pedestrian and cycle route through the site, with a particular request to promote the planned Upper Don Trail route.
- The area around the river should be naturalised.
- The pedestrian bridge across the river should be provided as previously approved.
- The proposals will devalue surrounding properties.
- The developers are only interested in making profit.

b) The Upper Don Trail Trust has made representations which identify their desire to make a connecting active route from Sheffield City Centre to Stocksbridge and beyond. Their most recent comments include the following:

- Welcome the width of the riverside cycle/footway has now been extended to 3 metres, with some localised narrowing.
- Welcome that a connecting point to the adjacent landfill site that will form the ongoing route of the Upper Don Trail once reclaimed has been provided. Concern that the last few metres of this section has been reduced to 2 metres in width and ask that this section is retained at 3 metres width.
- Welcome that there is now no proposal for vehicles to utilise Station Rd for residential access to the site. Question the mechanism that will be used in order that this vehicular restriction will be enforced whilst access is to remain available to emergency vehicles, Liberty Steel and Wharncliffe Estates.

- Welcome that a condition will be imposed to secure the greening of the riverside wall.
- Note the 'at grade' access to the river but question the amount of level access given that the sections show an embankment to the river.
- Welcome the proposed woodland management but conditions should be proposed to secure ongoing ecological improvements via a management plan.
 - With regards to the lack of provision of a footbridge to the South West corner of the site it is requested that the applicant agree to a Section 106 contribution to the continuation of the riverside walk at the southern end of the site.
- Request that the applicant be required to specify the typical construction and surface of the cycle footway to a specification which is adoptable by the Highway Authority including lighting, signage and an appropriate riverside guard rail where required.

c) The Don Valley Railway Group object to the proposals for the following reasons:

- The layout does not allow pedestrian access between a potential Deepcar Rail Station site and Station Road.
- Not enough land for construction of a bus turning circle adjacent to the station site is made available, nor are alternative connecting bus facilities proposed, to allow a service connecting the station with the Deepcar/Stocksbridge urban area.

For Don Valley Railway's aims of creating a passenger rail service to Stocksbridge it is essential that this development does not prohibit the effective development of a station at Deepcar.

There are three possible rail options for this:

- A service terminating at Deepcar,
- A service via the works terminating in central Stocksbridge, and,
- A service via the former Woodhead mainline route towards Penistone,

A service terminating at Deepcar Station would become the main access point for, and need to be able to accommodate interchange to other modes of transport to serve the entire Stocksbridge /Deepcar urban area and would require a bus terminus facility for each half hourly rail service to achieve viability.

This would be best served via Station Lane, with bus utilising a turning circle at the station entrance if the circuitous road layout within the site is adopted. DVR propose utilising land allocated as a reverse turning stub plus the land of Plot 145 to construct a bus turning area to enable a seamless bus - rail connection, similar to previous versions of The Applicants proposals and the development should not prohibit this.

For a service terminating in Stocksbridge, Deepcar, being considered by the Department for Transport, is widely viewed as being the Park and Ride location as additional parking in central Stocksbridge near a proposed Fox Valley station site is problematic.

Should the line to Penistone with onward trains to Huddersfield or Manchester be re-instated Deepcar Station site may become a main-line station for the

Stocksbridge.

The Applicant refers to a 'Rail Halt' in an attempt to down play the importance of this facility, and completely under-estimates the public attitude to the aspiration to bring trains to the area.

Don Valley Railway has campaigned for 16 years to bring a railway to Stocksbridge. Your new MP has brought this aspiration close to reality, and Sheffield City Region are currently working hard to deliver a successful bid to open this line through the Government's Restoring Your Railway initiative.

Network Rail comments concur with ours and ask that enough space be allocated to enable the station to 'align with planning horizons' in light of the current study work to look at increasing the local rail network. They suggest allocating land until 2033 not the mere three years as suggested by The Applicant.

All of this is necessary to enable the full benefits of the Government's Towns Fund initiative in Stocksbridge to be realised.

Beyond our specific objections we have no in principle problem with the development. Indeed new housing close to this station site will improve the business case for Don Valley Railway. So we hope that The Applicant can work with us and see the benefits the railway will bring.

Stocksbridge can give up any aspiration of bringing a rail service back to the town if this development does not move to accommodate it.

d) A representation has been received from the English Regional Transport Association objecting to the proposals along the same grounds as the Don Valley Railway Group.

e) The Sheffield Green Party has objected to the proposals stating they undermine the Upper Don Railway project and the ambitions to provide the Upper Don Trail.

f) The Sheffield Climate Alliance object to the development on the following grounds:

- The lack of access to railway land from Station Road.
- The lack of provision for energy generation from renewable or low carbon sources as this is contrary to local policy requirements.
- The development's poor accessibility to community facilities means that these should be provided as part of the wider scheme.

g) Liberty Specialist Steels have made a representation which highlights that Morehall Waste Transfer Station is in the process of being reclaimed and the existing access from Station Road needs to be retained. This process will require access for a large number of Heavy Goods Vehicles over many months, possibly years. There is a concern that this proposal will constrain the ability of Liberty Steel to meet this obligation owing to correspondent amenity impacts.

h) The South Yorkshire Bat Group does not consider that the proposed mitigation measures in relation to bats are suitable.

i) The South Yorkshire Branch of Salmon and Trout Conservation UK have made a representation that raises the following matters:

- Much of the ecology reporting submitted with the application does not accord with current survey standards.
- The potential environmental benefits of treating minewater and dealing with surface water run-off are noted, but the success of these proposals needs to be established, including at the construction phase.
- The overall environmental benefits vs cost of the development needs to be established and requires an Environmental Impact Assessment.
- The proximity of the proposed retaining wall to the river will severely restrict lateral connectivity of the river corridor to adjacent habitat. This will have implications for various species and also vegetation. A 20 metre buffer strip should be provided.
- One of the proposed access paths to the river is prone to flooding.
- The proximity of the development will impact on long established access rights to the river, result in increased trespass and issues such as littering.
- Easy access to the river corridor could pose a serious safety risk for future residents, including children.

j) The Woodland Trust object to the application on the basis of loss of River Don Wood West; an ancient, semi natural woodland designated on Natural England's Ancient Woodland Inventory. In relation to this particular development the Woodland Trust's concerns are:

- The development provides a source of non-native plants and aids their colonisation.
- Where gardens abut woodland or the site is readily accessible to nearby housing, it gives the opportunity for garden waste to be dumped in woodland and for adjacent landowners to extend garden areas into the woodland.
- It creates pressure to fell boundary trees because of shade and leaf fall and interference with TV reception.
- It also forces boundary trees to be put into tree safety inspection zones resulting in costs for neighbours and increasingly comprehensive felling.

The Woodland Trust requests a 30 metre buffer zone to avoid root damage and to allow for the effect of pollution from the development and this should also be in place during construction.

k) Stocksbridge Town Council have made the following comments:

- The Town Council remains broadly supportive of the principle of developing this brownfield site on the basis that this would remediate the land.
- The present plans represent over-development and unsuitably high density of housing.
- Concern is expressed at the removal of the footbridge from the proposed development; this has been a key commitment from the developer for quite some time now, and would serve a multitude of purposes including facilitating access to public transport and increasing the viability of the active transport network. That having been said the ancient woodland is a precious and irreplaceable resource.

Has any consideration been given to alternative solutions other than complete removal of the footbridge?

- The cycle path to the west is now proposed to be 3 metres with some localised narrowing, which may still create pinch points. A continuous riverside route can only truly be provided through a continuous width, and so this route should remain 3m wide throughout.

- Provision should be made within the development for proper recreational facilities, or existing routes should be made safer through the provision of signage and railings.

- The SUDS permanent wetland area within the proposed development has the potential to be a good amenity for local residents. Has any health and safety appraisal has been made of the inclusion of an open expanse of water.

- The planned greening of the riverside retaining wall/flood defence is welcomed.

- The flood prevention measures should not only protect this development, but avoid placing downstream settlements at additional risk of flooding.

- Any use of Station Road for buses is a concern as this is a narrow, quiet residential road and is completely unsuited to movements of large vehicles. A bus gate would be difficult to enforce.

- The provisions for a rail halt are welcomed, but there is concern that this land may only be held for 5 years from the commencement of development, which may not be sufficient. A time limit is not necessary to secure this land, but if one is required this could perhaps be set at 5 years from the completion of the development?

- What calculations have been made to arrive at the size of the land required for the rail halt?

- The traffic survey appears to make no reference to traffic on Manchester Road, either toward Wharnccliffe Side or toward Stocksbridge. For the traffic flows in this area to be understood, they should include measurements of vehicle movements in these directions as well as from Carr Road, a major artery through Deepcar.

- The proposal that future upkeep and maintenance of the mine water treatment facility would be funded by new residents would be unfair to those new residents.

L) The Ward Councillors have objected to layout changes as these will undermine the delivery of the Don Valley Trail, which would be an important active travel route into and from the city centre.

M) CPRE South Yorkshire welcomes the development of a brownfield site but objects to the proposals on the following grounds:

- The additional houses added when compared to the previous approval should be affordable.

- The use of Station Road for vehicles associated with future houses creates safety issues and is not supported.

- A walking and cycling strategy should be provided and the route adjacent to the River should be 3.5 metres to ensure this meets the needs of future users.

- An 800m walk to the bus is not at all ideal, and 400m is still desirable and the removal of the pedestrian footbridge bridge makes access significantly worse. If a footbridge in the location proposed is unacceptable due to its impact on ancient woodland then an alternative route must be found.

N) Miriam Cates (Member of Parliament) has made the following representation:

I am writing to express my concern that the plans do not adequately accommodate the likely restoration of passenger services on the Don Valley Railway line with a station at Deepcar. The Department for Transport is currently evaluating a bid to this effect submitted by the Sheffield City Region and supported by myself as the Member of Parliament for Penistone and Stocksbridge. This process is expected to have progressed by the end of May to a stage where it will be known if full feasibility studies and business case preparation can be undertaken.

As precise details of the future operation of rail services are as yet unknown, pending further investigation by the DfT and SCR, it is important to maintain flexibility in the planning of this development. This should include safeguarding future public access to the entry point of the old station site which is still owned by Network Rail.

I therefore welcome the decision to postpone the creation of fourteen parking spaces on this part of the site, but am concerned that this is only a temporary measure. The complicated nature of rail planning and development could lead to the project to reopen the station taking longer than the time the developer has agreed to wait for.

Additionally I am concerned that there is inadequate provision for future possible bus services to access the site of the proposed station. One of the intentions of reopening the railway to passengers is to reduce dependence on car travel in Stocksbridge and Deepcar, meaning that good bus connections to new railway stations will be highly important. The current application is potentially restrictive to future bus operations, offering no specific location for embarkation and disembarkation near to the station, and no provision of a bus turning circle. Instead document MI075-EN-013 seems to suggest that buses would be required to perform a three-point turn in the middle of a residential street. This is clearly both unsafe and inadequate, and could mean that a bus would be prevented from serving the station by something as simple as a badly parked car on the other side of the street.

Reopening the station at Deepcar offers benefits to all residents of the village, especially those who choose to live at this new development. Good public transport links are highly valued, particularly in towns that suffer from serious congestion problems on major routes. By making minor concessions of facilitating easy access to the station site for pedestrians and buses Bloor Homes could significantly increase the desirability of their development and improve public transport for the entire village in the process.

P) Network Rail notes the passive provision for rail halt parking as part of the development. They state that demand for rail services in Sheffield City Region is growing at considerable rate with predictions of demand increasing by up to 40% by 2043, however it is not clear what the potential size of the car park would need to be to facilitate demand from Stocksbridge and Network Rail would welcome further information on how Bloor Homes have defined the current footprint.

Network Rail continue to work with stakeholders including Sheffield City Region and Transport for the North on the future role of rail in the region and opportunities to develop rail services as part of wider holistic transport plans. The future transport use of the Stocksbridge branch is being considered within this context, however development is not at a mature enough stage for the outcomes to be determined.

Previous experience from Network Rail working with third parties on developing new rail stations on existing lines has shown it takes a considerable period of time between concept, delivery and commissioning well beyond three years. Network Rail therefore do not feel three years from planning permission being granted is an appropriate period, this is reinforced by the recently published Sheffield City Region Integrated Rail Plan (July 2019) highlighting the Stocksbridge branch as being highlighted for further investigation in the period up to 2024. In the context that outputs will not be determined until this period, Network Rail would therefore strongly advocate safeguarding the land to align to industry wide planning horizons of at least 2033.

PLANNING ASSESSMENT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out the Government's planning priorities for England and how these are expected to be applied. The key principle of the NPPF is the pursuit of sustainable development, which involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life. The following assessment will have due regard to these overarching principles.

Policy Context

Paragraph 12 of the NPPF makes it clear that a presumption in favour of sustainable development does not change the status of the development plan as the starting point for decision making. Paragraph 12 continues that where a planning application conflicts with an up-to-date development plan permission should not usually be granted.

Paragraph 213 of the NPPF makes it clear that policies should not be considered as out-of-date simply because they were adopted or made prior to the publication of the Framework (as revised in 2019). Due weight should be given to them, according to their degree of consistency with the Framework. Therefore the closer a policy in the development plan is to the policies in the Framework, the greater the weight that may be given.

The assessment of this development proposal needs to also be considered in light of paragraph 11 of the NPPF, which states that for the purposes of decision making, where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date, planning permission should be granted unless:

- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development.

- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

In this context the following assessment will:

- Assess the proposals' compliance against existing local policies as this is the starting point for the decision making process. For Sheffield this is the Unitary Development Plan (UDP) and the Sheffield Development Framework Core Strategy (CS).

- Consider the degree of consistency these policies have with the Framework and attribute appropriate weight accordingly.

- Consider the scheme's compliance with the NPPF as this forms a separate material consideration in its own right.

- Apply the two Paragraph 11 d) tests – sometimes referred to as 'the tilted balance'.

As Sheffield does not benefit from a housing land supply that surpasses 5 years these tests will be automatically applied as made clear in Paragraph 11 of the NPPF.

Land Use

The site largely sits within a Fringe Industry and Business Area as defined by the adopted Sheffield Unitary Development Plan (UDP). There is also a small area of land allocated as Open Space that sits to the south west of the site.

- Development in Fringe Industry and Business Areas

Policy IB6 of the UDP sets out that residential uses are not preferred in Fringe Industry and Business Areas, but they are acceptable in principle subject to a number of factors that are considered further in this assessment and these include:

- If the proposal would lead to a concentration of uses that would prejudice the dominance of industry and business in the area.
- If the scheme would be adequately served by transport facilities, whilst providing safe access to the highway network.
- If the scheme would constrain industrial or business development.

- Development in Open Space Areas

Policy CS47 (Safeguarding Open Space) within the Sheffield Development Framework Core Strategy addresses how applications that result in the loss of open space should be assessed. This is an approach also advocated within Paragraph 97 of the NPPF.

In this case however it is noted that the proposal has a very similar quantitative impact on this allocated open space area as the previous approvals, with the majority of the space retained for a combination of formal and informal use.

Other matters such as public access and impacts on trees are considered elsewhere in this report and there remains no in principle objection to the development in the context of the open space land allocation.

Dominance and Previously Developed Land

Policy IB9 (a) within UDP states that utilising this site for a non-preferred use would be unacceptable if it would prejudice the dominance of industry and business in the area, or result in the loss of an important business site. In this case the principle of housing has already been clearly established in previous planning permissions and is indeed partly implemented across the site.

This alternative housing use is also supported by Policy CS33 (Jobs and Housing in Stocksbridge/Deepcar) within the Core Strategy, which states that new housing should be limited to previously developed land within the urban area. Core Strategy Policy CS24 (Maximising the Use of Previously Developed Land for New Housing) also prioritises the development of previously developed (brownfield) sites, such as the application site.

Whilst the weight attributed to Policies CS24 & CS33 can be open to question as they are restrictive policies based on outdated housing need figures, their promotion of brownfield development is considered to align strongly with the NPPF and in this regard the corresponding elements of these policies can be offered substantial weight.

By way of example the NPPF at paragraph 117 states that planning decisions should promote an effective use of land in meeting the need for homes and other uses. In addition paragraph 118 c) gives substantial weight to the value of using suitable brownfield land within settlements for homes and other identified need.

Based on the previous residential permissions on the site and the clear policy thread to promote housing on brownfield land, it is considered that the proposal will not have any unacceptable impact on the supply of industrial and business land.

Housing Land Supply

The NPPF requires local authorities to identify a 5 year supply of specific 'deliverable' sites for housing with an additional 5% buffer.

Core Strategy Policy CS23 (Locations for New Housing) states that new housing will be concentrated where it would support urban regeneration and make efficient use of land. Specific mention is made of the urban area of Stocksbridge/Deepcar and the proposal is considered to accord with this policy (see detailed assessment of density elsewhere in the report).

As the efficient provision of new brownfield housing development is a strong theme within the NPPF (as identified elsewhere in this assessment), in this regard Policy CS23 can be offered substantial weight.

Core Strategy Policy CS22 relates to the scale of the requirement for new housing and sets out Sheffield's housing targets until 2026; identifying that a 5 year supply of deliverable sites will be maintained. However, the NPPF (2019) now requires that where a Local Plan is more than 5 years old, the calculation of the 5-year housing requirement should be based on local housing need calculated using the Government's standard method.

The Council is in the process of updating its 5 year housing land supply position and in light of the recently changed assessment regime further detailed work is required. The Council cannot currently demonstrate a five year supply at this time. The Council's most recent assessment of supply, contained in the SHLAA Interim Position Paper (2017), showed a 4.5 year supply of sites.

In the absence of a 5 year housing land supply and in light of paragraph 11 of the NPPF as detailed previously, all local policies that are most important for determining this application are automatically considered to be out of date.

It is considered that the provision of a substantial number of houses should be given significant weight in the balance of this decision in accordance with Paragraph 59 of the NPPF which makes clear the Government's objective to significantly boost the supply of homes.

Housing Density

Core Strategy Policy CS26 seeks to make efficient use of land for new housing and identifies that a density of between 30-50 dwellings per hectare is appropriate in this location given that a number of the properties would be more than a 400 metre walk from a high frequency bus route/stop.

The application site is approximately 16 hectares in area, and the 430 dwellings proposed results in a density of 26.8 dwellings per hectare. This falls below the recommended density identified in Policy CS26. However there are several elements of the site that cannot be developed such as the balancing ponds proposed for minewater treatment and linear route to the west.

When this is accounted for the developable area, which is largely made-up of the access roads and residential units including gardens accounts for an area of approximately 12.3 hectares. Based on this figure the proposed development offers a density of 35 dwellings per hectare, which accords with the identified range.

More up to date guidance on the efficient use of land is contained in the NPPF. Paragraph 122 identifies that development which makes efficient use of land should be supported taking account of various factors including housing need, viability, availability of infrastructure and scope to promote sustainable travel modes, desirability of maintaining the areas prevailing character and setting,

promoting regeneration, and the importance of securing well designed and attractive places.

As Policy CS26 also concerns itself with matters such as the existing character of an area and the need for balanced communities this robustly aligns with the NPPF and can be offered substantial weight.

This proposal makes a significant contribution to Sheffield's housing need and is located within reasonably close proximity to existing infrastructure. It is also considered that the scheme does suitably maintain the area's character and, as a whole, is well designed.

As identified elsewhere in this assessment, the scheme does not wholly achieve the desired requirement to promote sustainable transport modes owing to the lack of a pedestrian footbridge. However, it does include measures such as providing land for a future rail halt and travel plans.

When considered in the context of Paragraph 122 the scheme does make efficient use of land.

Design

Policy BE5 (Building Design and Siting) of the UDP states that original architecture will be encouraged, but that new buildings should complement the scale, form and architectural style of surrounding buildings.

Policy CS74 (Design Principles) within the CS states 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.

With respect to the NPPF, Chapter 12 addresses the desire to create well-designed places, with Paragraph 124 for example stating that good design is a key aspect of sustainable development; creates better places in which to live and work; and helps make development acceptable to communities.

Paragraph 127 of the NPPF goes onto state that planning decisions should amongst other things ensure developments:

- Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- Are sympathetic to the local character and history.
- Establish and maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

The principles set out in local policy are reflective of the aims of the NPPF and are considered to carry substantial weight.

- Layout

Broadly speaking the proposed scheme follows the layout approved within the most recent residential permissions on the site. This includes the creation of three principal north to south pedestrian/vehicle links through the site and a small pocket of housing set to the north-west fronting Manchester Road.

The east-to-west vehicle/pedestrian connections also largely reflect the previous scheme across the lower platform. However, owing to the changes in land levels, the upper and lower platforms are now linked by a single connection to the south east and it is acknowledged that this is to the detriment of the scheme from a connectivity perspective.

Overall the topography of the site with its steep crossfall and shape has to a significant extent influenced the layout, resulting in a fairly regular traditional linear street pattern which follows the contours. Whilst there is some compromise in relation to connectivity, overall it is supported.

- Appearance & Scale

The proposal does not follow the older style of house type promoted by previous approvals and employs a more contemporary approach. This also includes elements to reflect the context such as brick being the primary facing material and pitched roofs.

The scheme includes a strong hierarchy to the windows and further features that promote visual interest such as front gables and varying roof forms across the accommodation types. This new approach has been agreed in close collaboration with officers and is strongly supported.

The introduction of split level housing to help address changes in land levels is a welcome approach to counter constraints created by the site's topography. The applicant has also engaged with officers to reconsider the use of boundary treatments in key areas, such as road frontages and key corners and these now reflect the desired quality.

There will be several retaining features across the site which at times will be substantial in construction and these will of course have a rather stark appearance in places. This element of the scheme's design is viewed as a negative aspect of the proposal.

In relation to scale the dwellings are two storeys with a pitched roof, which is traditional to the area. The larger apartment blocks are three storeys with a pitched roof and sit fairly centrally within the site so will not be very visible, if at all, from existing surrounding highways. As such this slight departure from the wider established scale is not of concern.

Overall the proposals are considered to be acceptable from a scale and appearance perspective, in compliance with the development plan and the NPPF.

Impact on the Green Belt & Areas of Special Character

UDP Policy GE4 (Development and the Green Belt Environment) states that development which is conspicuous from the Green Belt should be in keeping with the area and, wherever possible, conserve and enhance the landscape and natural environment.

UDP Policy BE18 (Development in Areas of Special Character) states that new development shall respect the appearance and character of such areas.

The site will be visible from areas within surrounding Green Belt, which is set to the south west across Manchester Road and east across the railway line. Given the proposal represents the redevelopment of a brownfield site in a valley setting and largely reflects the extent of previous residential permissions on the site it will not adversely impact on the setting of the green belt.

As identified in the design section of this assessment the proposed development reflects the scale and vernacular of the area and therefore any impact on the Area of Special Character (which in itself is an out of date designation) is viewed as appropriate.

Open Space and Landscaping/Trees

UDP Policy H16 (Open Space in New Housing Developments) says that for new housing developments, developers will be required to ensure that there would be sufficient open space to meet the needs of local people living there.

Policy GE15 (Trees and Woodlands) within the UDP states that trees and woodlands will be encouraged and protected. This is to be achieved in part by requiring developers to retain mature trees, copses and hedgerows, wherever possible, and replace any trees which are lost.

Core Strategy policy CS46 says that when opportunities arise, new open space will be created and CS73 refers specifically to the Strategic Green Network and this will be maintained and enhanced. The Green network follows the Upper Don.

Chapter 15 of the NPPF is concerned with conserving and enhancing the natural environment. Furthermore paragraph 175 c) states that development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. Wholly exceptional circumstances are defined in footnote 58 as infrastructure projects where the public benefit would clearly outweigh the harm.

Paragraph 127(f) of the NPPF identifies that development should create places with a high standard of amenity for existing and future users.

It is considered that the listed local plan policies accords with the NPPF and therefore these carry substantial weight.

As with the original application the proposed development includes a largely segregated landscaped linear north/south route parallel with the river to the west. It

is noted that owing to the increased scale of the required retaining wall, particularly in the southern section, there is a more significant visual disconnection with the river, which is regrettable. However, this is a recognised constraint of the proposal and is accepted.

Two largely segregated landscaped three metres wide pedestrian/cycleway are also provided to the north and west of the site respectively and this is welcomed.

The site also benefits from additional areas of open space, most notably an area adjacent to the apartment blocks. There are also a number of opportunities for formal and informal recreation surrounding the site. Access to the river has been raised in several third party representations and the applicant has identified a notable area of at grade access towards the north of the site. When considered as a whole this provision is viewed as appropriate for future residents.

Plans have been provided that officers consider to be acceptable in relation to a future landscape scheme and this includes native planting.

During the course of the planning application the applicant has revisited a 'pinch point' between the retaining wall and the river bank as this was considered as overly restrictive. This has now been adjusted with the narrowest point between the lower retaining wall and the riverbank being approximately 3.5 metres. The applicant has stated that this cannot be improved upon given constraints in relation to service and sewage easements. This is considered as being acceptable to officers as this distance reaches in excess of 40 metres in places. This green corridor will therefore remain in place.

The application was accompanied by an Arboriculture Report (2019). This identifies that since approval of the previous scheme a number of trees have been removed from the site in accordance with previously agreed details. Several trees do remain that have previously been approved for removal to facilitate the development and this remains part of the current proposals. The vast majority of these trees are of a low or moderate quality and their loss will be suitably compensated for by replacement tree planting across the wider development.

As a result of the applicant revisiting the position of the lower retaining wall the impact on the ancient woodland, as identified in the Woodland Trust's representation and set to the south west of the site, will be minimal, as was the case with the previous residential approvals on the site. Construction techniques have also been confirmed to ensure the health of T4 (as identified on the submitted plans) is maintained going forward. Landscape officers have confirmed they are satisfied with these proposals in this regard.

The applicant has also repositioned the retaining wall to reduce any impact on Tree Group 3 and whilst the plans note there could be some loss from this group, it is not considered to be so significant as to threaten the overall impact of this wider tree group and as such it can be tolerated. The southern section of this group identified as ancient woodland will not be impacted by the retaining wall.

There are other sections of the site identified as being ancient woodland on the Natural England's Ancient Woodland Inventory, but this has been done in error as has been accepted previously. This relates to groups G1c) and G10c) on the Tree Retention Plan.

To expand on this the Arboricultural Survey identifies these particular tree groups are situated on spoil heaps and made up ground which may in the past have been Ancient Woodland, but any Ancient Woodland habitat including the soil has been removed or irreparably damaged. For this reason neither G1 nor G10 should be considered as ancient woodland.

The protected trees that sit on the bend of the river to the north west of the site are not impacted by these proposals.

As identified elsewhere in this assessment the previous residential permissions included a requirement to provide a pedestrian bridge linking the south section of the site to Manchester Road. However, the implications of providing this bridge on the ancient woodland that runs along the river's edge in this section of site were not explored.

The applicant has submitted information that demonstrates that providing a bridge in this location will have a significant impact on this ancient woodland. The extent of which has been estimated by the applicant as representing a strip 70 metres wide. Whilst this is questioned and would certainly be reduced if a simple stepped bridge was utilised, there would inevitably be a notable amount of lost woodland.

Any notable loss of ancient woodland would be contrary to paragraph 175 c) of the NPPF as the provision of the footbridge is not considered to represent wholly exceptional reasons. This must be considered in the wider planning balance.

For completeness the applicant has ruled out landing the bridge further to the north, which is likely to sit outside the ancient woodland, owing to complications in respect of third party land ownership and this is accepted. It would also impact on the viability of the scheme and jeopardise its delivery.

Based on the above it is considered that the proposed scheme offers an appropriate response in relation to providing future residents with suitable amenity space. It also maintains connections in relation to the green network and suitably protects relevant features across the site with a particular note to the ancient woodland.

Sustainability

Policy CS63 (Responses to Climate Change) within the Core Strategy sets out the overarching approach to reducing the city's impact on climate change. These actions include:

- Giving priority to development in the city centre and other areas that are well served by sustainable forms of transport.

- Giving preference to development on previously developed land where this is sustainably located.
- Adopting sustainable drainage systems.

In relation to the requirements of CS63, the site is in a reasonably sustainable location in respect of access to local amenities and public transport. In addition, the site is previously developed and the scheme will incorporate sustainable drainage systems that will result in a reduced surface water run-off rate (see Drainage Section below).

Policy CS64 (Climate Change, Resources and Sustainable Design of Development) within the CS sets out a suite of requirements in order for all new development to be designed to reduce emissions.

Previously residential developments had to achieve Code for Sustainable Homes Level Three to comply with CS64. This has however been superseded Technical Housing Standards (2015), which effectively removes the requirement to achieve this standard for new housing developments where up to date local policies are not in place.

Policy CS65 (Renewable Energy and Carbon Reduction) within the CS sets out objectives to support renewable and low carbon energy generation and further reduce carbon emissions.

New developments are therefore expected to achieve the provision of a minimum of 10% of their predicted energy needs from decentralised and renewable, low carbon energy, or a 'fabric first' approach.

Chapter 14 of the NPPF deals with the challenges of climate change and identifies the planning system as playing a key role in reducing greenhouse gas emissions and supporting renewable and low carbon energy. This is considered to robustly align with the listed local policies which are offered substantial weight.

The applicant has confirmed that the proposed housing will exceed the 10% target through a variety of measures implemented via a fabric first approach. The scheme also includes a number of further features that add to its sustainability credentials. The most notable involve the provision of several vehicle charging points, the reclamation of this brownfield site and the creation of landscape areas.

As identified elsewhere in this report there is a concern that issues around pedestrian connectivity will result in an increased reliance on motor vehicles. This needs to be balanced against potential loss of ancient woodland however, as well as further mitigation measures such as the setting aside of land for a rail halt and the promotion of travel plans.

It is also noted that there are sustainability benefits derived from not removing a significant amount of contaminated material off the site, which is now achievable with the construction of development platforms. For example the applicant has

estimated that this will save over 10,000 vehicle trips to disposal sites and their associated pollution.

Overall, it is considered that the proposal meets the local and national sustainability policy requirements.

Highways

- Policy Context

Policy CS51 (Transport Priorities) within the CS sets out six strategic priorities including developing alternatives to the car, containing congestion levels and supporting economic growth through demand management measures and sustainable travel initiatives.

Policy CS53 (Management of Demand for Travel) within the CS seeks to make the best use of the road network, promote good quality public transport, walking and cycling. This includes the use of measures such as travel plans to maximise use of sustainable forms of travel and mitigate any negative impacts on transport.

Policy H15 (Design of New Housing Developments) within the UDP states that the design of new housing developments will be expected to provide easy access to homes and circulation around the site for people with disabilities or with prams.

UDP Policy IB9 says that new development should be adequately served by transport services, provide safe access to the highway and provide appropriate off street parking.

The NPPF (paragraphs 102 to 111) promotes sustainable transport and as such these local plan policies can be considered to have substantial weight in this context. The NPPF also makes it clear 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 impact on the road network would be severe. This is considered as an additional acceptability consideration as relevant below.

- Vehicle Access, Car Parking Provision and Highway Layout

With respect to the proposed road layout, the only residential access into the site would be from Manchester Road and this has been established via previous residential permissions on the site. This access would have acceptable visibility and would also be controlled by traffic signals and include pedestrian crossing phases and facilities, thus providing for safe movement between the site, the existing footway network and bus stops on Manchester Road.

The road layout is very similar to the earlier approved scheme(s) with the land form/platforms to a large extent dictating this. These roads tend to follow the contours and are therefore in several places long and straight, so the primary concern is to restrict speeds within the site to 20 miles per hour. The final measures to achieve this will be agreed via planning conditions, should Members

be minded to approve the application, but these can be accommodated within the roads and could include such measures as speed humps and changes in surface materials.

Car parking provision is between 2 and 3 spaces per dwelling and additional parking will also be available on street. The proposal is also to provide 68 parking spaces for the 32 one and two bedroom apartments, which is also viewed as suitably in line with local parking standards.

Suitable tracking information has been provided which demonstrates all vehicles that would be expected to access the development, including emergency vehicles and buses, can manoeuvre around the proposed highway layout

There is considered to be no conflict with local or national policies in relation to these matters.

- Cycle Infrastructure Provision

In light of comments raised by third parties the applicant has revisited the proposed cycle provision across the site and committed to a dedicated three metre wider shared pedestrian/cycleway from the access bridge across the River Don onto Station Road. This will provide a more direct route to the Trans Pennine Trail, particularly when gradients are accounted for.

From that point cyclists would follow the estate road, which will accommodate low levels of vehicle movements as it serves only 75 houses, to the Wharnccliffe Estates access. As part of reclaiming this neighbouring site in the future a further extension to the route will be introduced.

The applicant has also revisited the proposals and has also committed to a further three metre wide shared pedestrian/cycleway adjacent to the river to the west of the site. This has very minimal areas of localised narrowing owing to various constraints and will provide a further future link with the land to the south.

Improved signage at key points across the site to waymark the proposed cycle links to the Trans Pennine Trail will also be provided. The final details of surfacing to the cycleway/footways, which will be designed to adoptable standards, will be secured via condition should Members be minded to approve the scheme.

These improvements to cycle facilities are considered to comply with the listed local and national policies.

- Traffic Generation/Highway Capacity

The proposed scheme will represent a very similar impact on the surrounding highway network to the previous scheme, which is considered to be a committed development.

For completeness the Transport Assessment within this submission offers further consideration to highway capacity issues and concludes that the forecast impact of

the revised proposals on the surrounding network would not warrant capacity related highway improvements, which is a conclusion shared by officers.

Given these points the proposal does not create any concerns in relation to highway capacity.

- Access from Station Road

The initial submission showed access from Station Road serving a cul-de-sac which formed the upper platform. Following concerns expressed by officers, and within third party representations, about the suitability of Station Road to accommodate the corresponding traffic, the scheme has been revisited and a 'loop road' provided between the lower and upper platform in the south east section of the site. Furthermore the applicant has now confirmed that no residential access will be taken from Station Road.

In addition, a planning condition is proposed, should Members be minded to approve the application, that will ensure measures are in place to limit access from Station Road to emergency vehicles and vehicles associated with the adjacent waste transfer site only. Access from Station Road for pedestrians and cyclists will remain available.

The applicant does wish to utilise Station Road for limited construction access for a period of the build owing to the limitations of getting larger loads across the new road bridge accessed from Manchester Road. This is proposed to be controlled via a planning condition for a construction management plan should Members be minded to approve the scheme.

- Pedestrian Connectivity and the Bridge

It is considered that re-profiling the site by creating platforms supported by retaining structures will have a negative impact on both pedestrian and cycling permeability. The applicant has taken steps to address this and, on balance, these measures are considered to be satisfactory within the site itself, namely:

- introducing a road connection between the platforms to the south.
- Introducing a dedicated stepped pedestrian link also towards the southern section of the site.
- Providing a dedicated pedestrian and cycle link from the road bridge to Station Road in the northern section of the site.

Nevertheless, the removal of the pedestrian/cycle footbridge from the south west section of the site, which was committed to in the previous approved scheme is clearly regrettable from a connectivity perspective as this was intended to reduce walking distances to the high frequency bus route along Manchester Road.

It is noted however that providing the bridge will have implications in terms of overall viability/deliverability of the scheme and will also result in the loss of ancient woodland. These matters are considered elsewhere in this assessment and as part of the overall planning balance in the wider conclusions.

With respect to this issue, both the applicant and your officers consider that the Chartered Institution of Highways and Transportation document 'Providing for Journeys on Foot' (2000) is the appropriate reference point in relation to acceptable walking distances. This document, in Table 3.2 (page 48), identifies what these should be whilst noting that this can vary based on individuals and circumstances. This includes general deterrents to walking, such as gradients and encumbrances such as shopping and pushchairs.

Table 3.2 identifies a suggested desirable walking distance for a pedestrian without a mobility impairment for this type of out of centre site as 400 metres, with an acceptable distance as 800 metres. However, as residents on this site will have to cope with challenging gradients it is reasonable to assume that this acceptable distance of 800 metres is not as appropriate as it would be on a flat site.

In relation to actual walking distances based on the submitted scheme:

- From the mid-point of the upper platform to the northbound bus stop, close to the new signal controlled junction on Manchester Road, the distance is approximately 950 metres. To the southbound bus stop close to the signals, the distance is approximately 890 metres.

- With the footbridge, the distance from the mid-point of the upper plateaux to the northbound bus stop closest to where the bridge comes out is approximately 650 metres (a saving of approximately 300 metres to catch a northbound bus). From the mid-point of the upper level to the southbound bus stop closest to where the bridge comes out is approximately 690 metres (a saving of 200 metres to catch a southbound bus).

- For the mid-point of the lower plateaux to the northbound bus stop close to the new signals, the distance is approximately 640 metres. From the same point to the northbound bus stop via the proposed footbridge, the distance is approximately 440 metres (a saving of 200 metres to catch a northbound bus). To catch a southbound bus close to the new signals from the mid-point of the lower plateaux, the distance is approximately 580 metres. From the same point to catch a southbound bus via the proposed footbridge is 470 metres (a saving of 110 metres).

If it is assumed that 800 metres is an acceptable walking distance, which is in some dispute given the site topography; from the top platform 61 houses are beyond the 800 metre walk distance to the northbound bus stop. From the bottom platform, 57 houses are beyond this walk distance.

This gives a total of 118 houses, out of 431 houses (or 27%) that are beyond the 800 metre walk distance to a northbound bus stop. A high percentage of the remaining 73% of properties will however have a diminishing walking distance to the high frequency bus stops that is increasingly below the identified acceptable walking criteria.

Officers consider that these identified connectivity issues will result in a degree of additional pressure on surrounding highway capacity as some, but not all, residents will be more inclined to use their private motor vehicle instead of walking the extra distance to bus stops. Whilst difficult to truly quantify, there will be other negative resulting impacts, such as increased air pollution. As such this aspect of the scheme is considered to be in conflict with local and national plan policies around promoting sustainable travel and therefore a negative aspect of the proposals. However, any impact will be limited and mitigated to a degree by measures such as travel plans.

Whilst fully acknowledged as an issue, officers do not consider this negative impact falls outside of the acceptability thresholds as set out in the NPPF, as it would not result in unacceptable highway safety impacts or be of a scale that could be viewed as having a residual cumulative impact on the road network that could reasonably be considered as severe.

Rail Halt

The original scheme has been amended to set land aside in an area to the north east of the site as a rail halt, as was the case with the previous residential permissions. An accompanying S106 Agreement will then allow a five year option for this to be transferred to the local authority if it is deemed to be the optimum location for a future rail halt in association with a railway station following the conclusion of a wider feasibility study into this matter, including further exploration around the commercial viability of this route. Following consultation with officers from Regeneration and Property Services this time period is deemed to be acceptable.

If the land deemed as required it will then be held in perpetuity by the local authority until the facility is provided. For clarity, five year period is just to carry out the feasibility work.

The submitted information shows an ability to provide a similar sized car park when compared to previous approvals (approximately 14 vehicles) and as this was deemed appropriate previously it would be unreasonable to request a larger facility.

It no longer however shows facilities that would allow a bus to turn without requiring a reversing manoeuvre, which is regrettable. The applicant has cited that a future proposal could see a bus gate on Station Road and therefore a linear route through the site could be accommodated. These options would be explored as part of the wider feasibility study.

Whilst the layout differs, this provision matches that shown within the recent residential permissions on the site in giving access to the railway land and is welcomed. Officers' also consider this addresses one of the key issues raised within the submitted third party representations.

Impact on Local Facilities

As was the case with the implemented scheme, this development would not be required to make S106 contributions towards local facilities such as health and education because it is not of a large enough scale. In this respect the adopted Supplementary Planning Document entitled Community Infrastructure Levy and Planning Obligations sets the following thresholds:

- Education contributions for sites of 500+ dwellings.
- Health contributions for sites of 1000+ dwellings.

It is also noted that the School Organisation Team have confirmed that there is capacity within the local area to accommodate the school places needed as a result of the development.

As detailed elsewhere in this assessment, the scheme will be required to make a contribution as part of the Community Infrastructure Levy (CIL) and this could be used to improve services in the locality if the local authority determined this as a priority.

Amenity of Future Occupiers and Surrounding Uses

UDP Policy GE23 says that development will only be permitted where it would not locate sensitive uses where they would be adversely affected by air pollution and Policy IB9 says that residents should not suffer from unacceptable living conditions.

Policy H5 (Flats, Bed-sitters and Shared Housing) within the UDP states that planning permission will be granted for such accommodation only if living conditions would be satisfactory for occupants of the accommodation and for their immediate neighbours

Policy H15 (Design of New Housing Developments) within the UDP states that the design of new housing developments will be expected to provide adequate private gardens or communal open space to ensure that basic standards of daylight, privacy, security and outlook are met for all residents.

Core Strategy Policy CS74 says that new development should contribute to the creation of a healthy, safe and sustainable environment.

Paragraph 127(f) also identifies that development should create places with a high standard of amenity for existing and future users. In addition paragraph 180 identifies that planning decisions should ensure that new development is appropriate for its location taking into account effects of pollution on health and living conditions, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

In respect of this subject the thread of local policy is to ensure existing and future users are offered a good standard of amenity and this is robustly reflected within the NPPF. These local policies can therefore be attributed substantial weight.

There are a number of amenity issues associated with this scheme which could potentially have an adverse impact on the quality of life of surrounding users, along with existing and future residents. The following sections discuss these and identify how they are overcome to ensure the scheme is policy compliant with respect to amenity impacts.

- Ground Contamination

This is a brownfield site and due to the previous uses, requires extensive remediation. The Environmental Protection Service (EPS) have considered the proposals and raise no objections subject to conditions covering the full investigation and subsequent validation of the remediation works. Such matters will be secured via planning conditions should Members be minded to approve this application.

- Noise & Disturbance

The proposal has been assessed by officers from the EPS who have no notable concerns over the likely noise impacts from neighbouring uses, including the adjacent railway line, as has been concluded in past approvals.

One issue in relation to noise and disturbance is the long standing access from Station Road to a waste transfer station on land to the south, which can operate without restriction.

To help understand the extent of this impact the applicant has provided information on the current movements associated with the waste transfer station, which shows infrequent use. For example across a seven day period one large vehicle was recorded accessing this site from Station Road. In addition, officers are aware of plans to reclaim this neighbouring site so it can be utilised for a more complimentary purpose. As a result this neighbouring use is not considered to hinder the ability to deliver residential development on the application site.

It is noted that within the third party representations the owner of this adjacent land has raised concerns about the ability to move large vehicles through the application site during works to reclaim this neighbouring land. Whilst this would not be ideal, these works would require planning consent and therefore a degree of control would exist. They would also be for a limited period. As such this is not considered to be a determinative factor for this application.

- Residential Amenity

Given the generally traditional linear layout it is considered that there are no significant concerns in relation to window to window distances.

Each dwellinghouse will be provided with a well-proportioned private garden. However, these spaces are compromised in places by the presence of the retaining wall between the upper and lower development platforms, which varies in height. For example the sections provided show some gardens being 10.5 metres

deep with an 8 metre retaining wall at the end of these areas, although this is sloped away from the host property.

Whilst this is not ideal such situations are seen elsewhere across the city, including on old quarry sites and are accepted. The situation will also be clear for anyone who is considering purchasing a property.

The apartments will be provided with an element of dedicated amenity space, but this is limited. However, these blocks are purposefully located adjacent to the central open space within the site as compensation and this approach is supported.

Plot 1 sits to the north of Midge Hall and fronts Manchester Road. Following concerns expressed by officers about the impact on the existing property, which is set approximately three metres lower, Plot 1 has been reduced by a floor to become a bungalow. Given there will be a separation of approximately 12 metres between the gable wall of Plot 1 and rear elevation of Midge Hall, and the new property is set to the north, this relationship is acceptable.

- Odour and the Waste Water Treatment Works

The Stocksbridge Waste Water Treatment Works (WWTW) is located across the River Don to the west and this is a source of odours which would have a significant and detrimental impact on future residents on a large part of the application site.

As with recent residential permissions Yorkshire Water (YW) has identified a 'cordon sanitaire', or odour zone, around the WWTW owing to odours potentially adversely affecting future residents and in this respect the most recent approval allowed for 100 dwellings to be constructed and occupied prior to the decommissioning of the WWTW. This was on the basis of these dwellings being outside the agreed odour zone.

This issue was fully resolved in the previous approvals by agreeing that the WWTW would de-commissioned and relocated on an alternative site where it would not impact on any houses and this relocation project is nearing completion. A planning condition is again proposed, should Members be minded to approve the application, ensuring these restrictions are in place.

- Coal Mining

The site falls within a defined Development High Risk Area, which means within the site and the surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

For this particular site the Coal Authority has noted that there are recorded mine entries present within or adjacent to the application site. In addition, several coal seams outcrop at or close to the surface of the site and unrecorded coal mining activity is likely to have taken place beneath the site at shallow depth.

These matters have been addressed within previous permissions and appropriate conditions attached. However the Coal Authority has an objection to this application owing to their desire to see further intrusive work undertaken to determine if the layout has paid suitable regard to the potential risk

This matter is ongoing and the conclusion will be reported to Members at the committee meeting.

- Mine Water Treatment.

As identified when assessing previous residential applications the steepest part of the site lies along the eastern edge and in the past this was used for mining. The old mine shafts have flooded and for a considerable period of time, ochreous red water containing mine waste, mainly iron, had seeped from the shafts down to a level area close to the River Don where a self-established reed bed prevented the ochre from entering the river.

As part of the new housing development, it is essential that the water and ochre is dealt with in a manner which avoids any spillage into the river and avoids any detrimental impact on residents' amenities.

Close liaison between officers and the Coal Authority (CA) and Environment Agency (EA) has taken place so that this issue can be resolved. To this end, the applicant has submitted a Mine Water Treatment Scheme which is currently being assessed as part of a conditions application associated with the previous permission.

As has been agreed in previous permissions, it is once again recommended that control in respect to this matter including the final design solution and long term maintenance is secured by an appropriate condition.

In response to a point made in third party representations, funding arrangements around the maintenance of this facility it is a matter for the landowner and future residents.

Affordable Housing and Viability

Policy CS40 (Affordable Housing) within the CS states that developers of all new housing schemes of 15 units or greater will be required to contribute towards the provision of affordable housing where this is practical and financially viable.

The target within Policy CS40 is between 30 & 40% of the units, but a more spatial approach to affordable housing provision is now adopted within the Community Infrastructure Levy and Planning Obligations Supplementary Planning Document (2015) (SPD). The SPD identifies affordable housing provision based on viability across a particular area. This site falls within the Stocksbridge and Deepcar Area and sites within this area have a maximum target of 10% for affordable housing provision.

Paragraph 62 of the NPPF states that planning policies should specify the type of affordable housing required. Furthermore paragraph 57 notes that an applicant is able to demonstrate that the need for a viability assessment exists and it is for the decision maker, having regard to all the circumstances in the case, to offer this weight.

As such, within the provisions of affordable housing policy at both a national and local level the individual viability of a scheme is a material planning consideration with local planning authorities able to accept a reduced or even a nil contribution on these grounds.

In this case a financial appraisal has been submitted by the applicant that sets out an evidence based assessment demonstrating why this scheme is not able to make a contribution to affordable housing, as was the case for other recent residential permissions on the site.

This appraisal has been considered by CP Viability, acting as an independent expert on such matters who, even after carrying out sensitivity testing for robustness, concur with the applicant's assertion.

This conclusion is based largely on the number of constraints which affect the site and the subsequent abnormal costs required to deliver the project including, amongst others, costs associated with the construction of a new road bridge, remediation works, enhanced foundation works, retaining walls, rising mains and water attenuation.

It is noted that CP Viability agree with the applicant's allowances for both revenue and standard construction costs and note that viability remains challenging across the city owing to increased construction costs outstripping increases in sales values.

To reflect the extensive build programme (approximately ten years) the applicant has agreed to enter into a Section 106 Agreement which will secure the reappraisal of the development when it nears completion/or within a set timeframe to ensure an appropriate affordable housing contribution can be secured at that stage if deemed to be required.

As identified elsewhere in this assessment the applicant has stated viability issues as one reason why the scheme is unable to provide a pedestrian bridge to Manchester Road. The assessment carried out by CP Viability also confirms this provision would represent a further cost on the developer that could risk the overall delivery of the scheme.

Drainage/Flood Risk

Policy CS67 (Flood Risk Management) within the CS states that the extent and impact of flooding should be reduced by incorporating a number of measures in developments. These measures include:

- Requiring the new development to limit surface water run-off.

- Ensuring buildings are resilient to flood damage.
- Promoting the use of sustainable drainage techniques.

The NPPF seeks to ensure that areas at little or no risk of flooding are developed (Flood Zone 1) in preference to areas at higher risk (Flood Zones 2 & 3). CS67 is considered compatible with the NPPF in terms of reducing the impacts of flooding and therefore retains substantial weight.

A Flood Risk Assessment (FRA) has been submitted in support of the application, which confirms that the bulk of the site lies within Zone 1 so a vulnerable use such as housing is acceptable here. There are areas that lie within Zone 2 either side of the river and housing is proposed in some of these areas. There are very narrow strips of land either side of the River Don which lie within Zone 3 but housing is not proposed in any of these areas.

The FRA takes regard of the previous detailed planning consent and has adopted a similar approach in dealing with housing development in Flood Zone 2. This was to ensure that housing in this area was constructed on a plinth high enough to be raised above the Zone 2 flood levels.

Given the previous implemented permissions on the site it is considered the sequential and exception tests can reasonably be considered as being complied with for the purposes of this submission, as the site has been considered as appropriate for residential permission in the recent past and the impacts of this application are similar.

Following assessment of the FRA the Environment Agency have confirmed their satisfaction subject to the imposition of a condition that secures the proposed mitigation measures, including strict controls over finished floor levels and the raising of ground levels.

A Sustainable Urban Drainage Statement for the site has been agreed with officers from the Lead Local Flood Authority and will ensure a reduction in surface water run-off from the development compared to existing flow rates.

This strategy will see storm water attenuated and treated to improve water quality prior to final discharge into the River Don. This will be largely achieved via an attenuation pond/basin in the open space area to the west of the site, adjacent to the river which is one of the lowest points. This has been designed in collaboration with officers and is considered to offer a welcome solution that promotes sustainable urban drainage techniques.

It is proposed that the Council will take ownership and maintain this system in perpetuity and this is to be secured as part of a legal agreement should Members be minded to approve this application. This facility will hold limited water and on an infrequent and therefore also offers recreation potential.

Subject to complying with relevant conditions, the Environment Agency, Yorkshire Water and the Lead Local Flood Authority have confirmed that these proposals are

acceptable in principle and the scheme is therefore in accordance with the listed local and national policy requirements.

Archaeology

Policy BE22: Archaeological Sites and Monuments within the UDP sets out how archaeological interest will be safeguarded from the impacts of development.

The South Yorkshire Archaeology Service has confirmed that the archaeological implications of developing this land have been dealt with under previous approvals and there is no need for further work or additional planning conditions.

Ecology Considerations

Policy GE11 within the UDP (Nature Conservation and Development) requires development to respect and promote nature conservation.

Policy GE13 within the UDP (Areas of Natural History Interest and Local Nature Sites) states that where development decreases the nature conservation value of an Area of Natural History Interest (ANHI) or Local Nature Site this should be kept to a minimum and compensated for.

Paragraph 170(a) and (d) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment, minimise impacts on and provide net gains in biodiversity.

Paragraph 175(a) of the NPPF identifies that if significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

It is considered that the local policy goals of protecting and enhancing ecology interests are compatible with the NPPF and these therefore retain substantial weight.

The application has been accompanied by information that considers in detail the ecological implications of the development. This identifies three non-statutory Local Nature Sites within or adjacent to the site and Wharnccliffe Crags Site of Special Scientific Interest (SSSI) approximately 200 metres to the east of the site. A small area to the south of the site forms part of a much larger ANHI.

As identified in part elsewhere in this report the proposals will not affect these areas to an unacceptable extent, with this being less than accepted within previous residential consents given the removal of the pedestrian footbridge. The main impact would be the creation of a road bridge across the River Don, which is now in place. This was previously not considered as significant as the location was largely devoid of woodland vegetation. There is no impact on the designated SSSI.

Any impacts on the various habitats will be compensated for with measures such as improvement to ecological networks and linkages, new planting around the

proposed attenuation pond with an associated long term maintenance plan, and the removal of existing Japanese Knotweed. The final scheme will also benefit from an agreed Biodiversity Management Plan.

In relation to protected species the main points of note are:

- There is no evidence of badgers using this site
- The potential for Great Crested Newts is described as highly unlikely given the particular set of circumstances.
- There is evidence of bats commuting and foraging over the site and potential for roosting bats within the mature belt of woodland along the river. However, as this habitat is proposed to be retained this is not a constraint on the development. Mitigation measures are proposed to safeguard other potential impacts on bats and bring forward some gain and this includes bat boxes.
- Additional information has been provided that provides assurance measures will be in place to ensure if otters are present, they will not be at risk. No otters are identified within the submitted reporting.

The information provided has been assessed by the City Ecology Unit who has confirmed that they are satisfied with the impacts as described and feel that the proposed mitigation will ensure the scheme is compliant with the listed local and national policy requirements.

Impacts on trees/ancient woodland are considered elsewhere in this assessment.

Access

Policy H7 (Mobility Housing) of the UDP has set standards for an acceptable quantum of mobility housing within residential development. However, as these standards are not part of an up to date local plan they have been superseded by the Technical Housing Standards (2015), which effectively removes the requirement for mobility housing at this time, in the absence of an up to date Local Plan.

Matters in relation to pedestrian connectivity are dealt with in the Highways Section of this assessment.

Air Quality

As the proposal is not within 200 metres of an area that is identified as exceeding Air Quality Limitation Values within the Sheffield City Council monitoring programme there is no requirement for an Area Quality Assessment to be submitted in relation to the proposals.

It is also noteworthy that there is an implemented residential scheme on this site for a similar number of residential units (413) and any increase in air quality issues would be very limited across the 27 additional units.

Statement of Community Involvement

The Sheffield Council Statement of Community Involvement (SCI) was adopted in 2006 and this encourages developers proposing major schemes that will impact on existing residents and stakeholders to engage in community consultation prior to the submission of a planning application. This is not a formal requirement but developers are strongly encouraged to do this.

Bloor Homes carried out a programme of consultation in line with the SCI for this application and this took the form of 515 residential and businesses addresses in the locality receiving letters which invited participation in an online pre-application consultation. The consultation was also advertised on a social media platform that received 987 views. Information was also sent to Ward Councillors and Stocksbridge Town Council

A total of 28 comments were received which, as summarised by the applicant, identified a clear divide in the responses. Those living close by and on Station Road raised concerns regarding access infrastructure and highway capacity as a primary concern. Others enquired about purchasing properties. These key issues have come through as part of the statutory consultation process and, as such, are addressed in this report.

Community Infrastructure Levy (CIL)

The site is located within a CIL Charging Zone with a residential levy of £30 per square metre, plus an additional charge associated with the national All-in Tender Price Index for the calendar year in which planning permission is granted, in accordance with Schedule 1 of The Community Infrastructure Levy Regulations 2010. The funds generated through CIL will be used in connection with strategic infrastructure needs.

It is noted that as part of the previous residential approvals on the site the applicant successfully applied for a reduction in the CIL contribution on viability grounds. This is a matter for the Council to determine as the CIL Authority via a separate process if a further application is made.

Local Employment Initiatives and Other Benefits

The applicant has agreed to implement an Employment and Development Plan covering the construction phase and which is designed to maximise the economic and social benefits for the local community. This will be secured through a planning condition should Members be minded to approve the application and would take the form of measures such as apprenticeships.

It is also noted that the scheme will deliver other economic benefits and in this respect the applicant has estimated 90 jobs being created over the build period and 140 within the supply chain. Furthermore it is anticipated that around £2.1million could be delivered through the new homes bonus and £585,000 via council tax per annum.

Public Art

Policy BE12 of the UDP identifies that public art should be an integral part of the design of major developments. Details will be secured by condition should Members be minded to approve the application.

RESPONSE TO REPRESENTATIONS

The vast majority of the matters raised in the submitted representations have been addressed in the above assessment. The remaining points are addressed as follows:

- The proposal will create noise pollution.

In response, any development will inevitably create noise nuisance and this is the case for the implemented scheme. Any unreasonable nuisance can be managed through environmental legislation as required.

- The public consultation carried out by the developer was done incorrectly and was biased. It should not be offered any significant weight as a result.

In response, this consultation is summarised in the above assessment and available to view on the planning file. The weight offered to this is to be determined by the relevant decision maker.

- The proposals will devalue surrounding properties and the developers are only interested in making profit.

In response, these are not matters that form material planning considerations.

- The ecology reporting submitted with the application does not accord with current survey standards.

In response, following concerns expressed by third parties in relation to the submitted ecology information updated reporting has been submitted (dated July 2019) that has been assessed and agreed with the City Ecology Unit.

- The proximity of the development will impact on long established access rights to the river, result in increased trespass and issues such as littering.

In response it is not considered this issue will become any more problematic than the previous scheme and the approval of planning permission does not in itself remove access rights enjoyed by third parties. This is a separate legal matter.

SUMMARY AND RECOMMENDATION

The application site is located to the east of Deepcar on land previously used for industrial and mining purposes and covers an area of approximately 16 hectares. The site has a long planning history and this includes residential planning permission for 413 houses in 2016.

This current application proposes to erect 430 dwellings on the site ranging between one and four bedrooms. There are also associated infrastructure works to create new roads and open spaces within the site area, together with a balancing pond and a mine water treatment facility.

The main bulk of the site lies within a designated Fringe Industry and Business Area as defined by the adopted Sheffield Unitary Development Plan, with a small section of land to the south of the site sitting within an Open Space Area. The above assessment has determined that the proposed use is appropriate in relation to these land use designations and explains the limited incursion into the Open Space Area, which is akin to previous residential permissions.

The redevelopment of this brownfield site and provision of a large number of houses is seen as a significant benefit, while the proposed housing density is considered to represent an efficient use of land in accordance with local and national policy requirements.

The linear layout is reflective of the previous residential permissions, while the more contemporary approach to the house types has been developed in close collaboration with your officers and is wholly supported.

The scheme incorporates several areas of open space for future residents, includes new trees and native planting and retains access to the riverbank. In addition, revisions made during the course of the application ensure that tree loss is kept to a minimum and both the ancient woodland and protected trees set to the west will not be impacted.

From a sustainability standpoint the scheme will meet local and national policy requirements and this includes providing a 10% improvement on target energy efficiency levels together with vehicle charging points.

The vehicle access into the site via Manchester Road is established and appropriate and there will be appropriate levels of car parking for future residents. In addition, the information provided demonstrates that the surrounding road network can accommodate any additional traffic generated as a result of the scheme.

The proposal provides dedicated routes for cyclists that will ultimately link to the Trans Pennine Trail and this includes areas of off-road cycleway. Land has also been set aside for use as a future rail halt, should the local authority choose this as the optimum location for such a facility.

The removal of the commitment to provide a pedestrian footbridge from the site to Manchester Road is seen as a negative aspect of the proposals and it will discourage some residents from utilising public transport. However, the provision of this bridge would jeopardise the delivery of the scheme on viability grounds and threaten a large section of ancient woodland.

Furthermore, as a large number of new residents (approx. 73%) would still be within the defined acceptable walking distance of public transport facilities, this

impact would not fall outside the acceptability thresholds as set out in the NPPF, as the additional traffic movements generated from the development would not result in a residual cumulative impact on the road network that could reasonably be viewed as severe.

Whilst the presence of a large retaining structure is seen as having a negative impact on residential amenity, overall amenity impacts are considered to be acceptable for future and surrounding occupiers, with planning conditions proposed to deal with several legacy issues associated with the previous use.

Viability information has been submitted and accepted that demonstrates that the scheme cannot support affordable housing. The applicant has agreed that this can be revisited when the scheme nears completion and this is to be secured via a legal agreement.

Whilst several properties will be located in Flood Zone Two, the measures proposed to mitigate impacts have been accepted by the Environment Agency. In addition, following the submission of updated ecology reporting any resulting impacts are considered to be limited and can be mitigated through planning conditions. The proposals will also result in a reduction in surface water run-off via a sustainable urban drainage system.

In relation to paragraph 11 of the NPPF, as Sheffield cannot demonstrate a five year housing supply, the most important policies in the determination of this application are automatically considered to be out of date. These most important policies revolve around housing land supply; highway related impacts; amenity and landscape impacts; affordable housing/viability; and flooding. As such section d) of paragraph 11 is applicable.

In relation to the first part of section d) the above assessment has clearly demonstrated that the application of policies in the Framework that protect areas or assets of particular importance do not provide a clear reason for refusing the proposed development.

In relation to the second part of section d) and based on the matters as previously detailed, it is concluded that the many benefits this proposal brings could not reasonably be considered to be significantly and demonstrably outweighed by any adverse impacts arising.

As such your officers recommend that the scheme should be approved subject to the listed conditions and to the completion of a legal agreement that secures the following:

Head of Terms

a) The reappraisal of the development at a point near completion or within an agreed timeframe with the aim of securing an appropriate affordable housing contribution based on the viability circumstances at that time.

b) For the Council to take ownership and maintain the proposed sustainable urban drainage system and this could include placing a service charge on future residents and securing a sum of money upfront.