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Case Number	20/01278/FUL (Formerly PP-08616948)
Application Type	Full Planning Application
Proposal	Construction of an asphalt all-wheel bike track and learn to ride area, siting of 2 shipping containers for equipment storage and welfare facilities, provision of hard surfaced areas, benches, bike racks, signage, lighting columns and soft landscaping
Location	Hillsborough Park Middlewood Road Sheffield S6 4HD
Date Received	17/04/2020
Team	West and North
Applicant/Agent	Elsie Josland Landscape Design
Recommendation	Grant Conditionally

## **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:

Site Location Plan - Drawing No. P609-03-PL-EJ-L001 published 17th April 2020

Masterplan - Drawing No. P609-03-PL-L003 published 17th April 2020

Masterplan - Drawing No. P609-03-PL-L004 published 17th April 2020

Hard & Soft Landscaping Plan - Drawing No. P609-03-EJ-L005 published 17th April 2020

Elevation Sheet 1 - Drawing No. P609-03-PL-L006 published 15th June 2020

Elevation Sheet 2 - Drawing No. P609-03-PL-L007 published 15th June 2020

Elevation Sheet 3 - Drawing No. P609-03-PL-L008 published 15th June 2020

Elevation Sheet 4 - Drawing No. P609-03-PL-L009 published 15th June 2020  
Plan referencing section lines - Drawing No. P609-03-EJ-L0010 published 15th June 2020

Design & Access Statement by Elsie Josland Landscape Design (8 sections)  
published 17th April 2020

Arboricultural Report by AWA Tree Consultants (dated March 2020)  
Reference: AWA3117 published 17th April 2020  
Tree Impacts Plan - Ref AWA3117 published 17th April 2020  
Tree Constraints Plan - Ref: AWA3117 published 17th April 2020

Flood Risk Assessment by Ambiantal Environmental Assessment (Ref 5385)  
published 12th May 2020

Reason: In order to define the permission.

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

3. No development shall commence until full details of the proposed surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the Local Planning Authority. This shall include the arrangements and details for surface water infrastructure management for the life time of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

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

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

4. Before the use hereby permitted commences, the applicant shall submit for written approval by the Local Planning Authority a report giving details of the impact of light from the development on adjacent dwellings. The report shall

demonstrate that the lighting scheme is designed in accordance with The Institution of Lighting Professionals document GN01: 2011 'Guidance Notes for the Reduction of Obtrusive Light'. The development shall be carried out and thereafter retained in accordance with the approved details. [The guidance notes are available for free download from the 'resources' pages of the ILE website.]

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

5. Prior to the installation of any external lighting, full details of the design of the lighting shall be submitted to and approved in writing by the Local Planning Authority.

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

6. Full details of the proposed tree species for the new trees shown on the approved landscape plan (Drawing No. P609-03-EJ-L005) shall be submitted to and approved by the Local Planning Authority before the development is brought into use. The development shall not be used unless the approved tree species have been provided in accordance with the landscape plan.

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

7. Details of cladding and/or a green wall to the exterior of the shipping containers shall be submitted to and approved by the Local Planning Authority prior to the shipping containers being installed on site. The containers shall not be used unless the agreed facing materials have been provided in accordance with the approved details and thereafter maintained.

Reasons: In the interests of the visual amenities of the site.

### **Other Compliance Conditions**

8. All sports floodlighting associated with the use of the development hereby permitted shall be controlled by automatic timer which shall be set to turn off the lights between 21:30 hours and 07:30 hours the following day on all days.

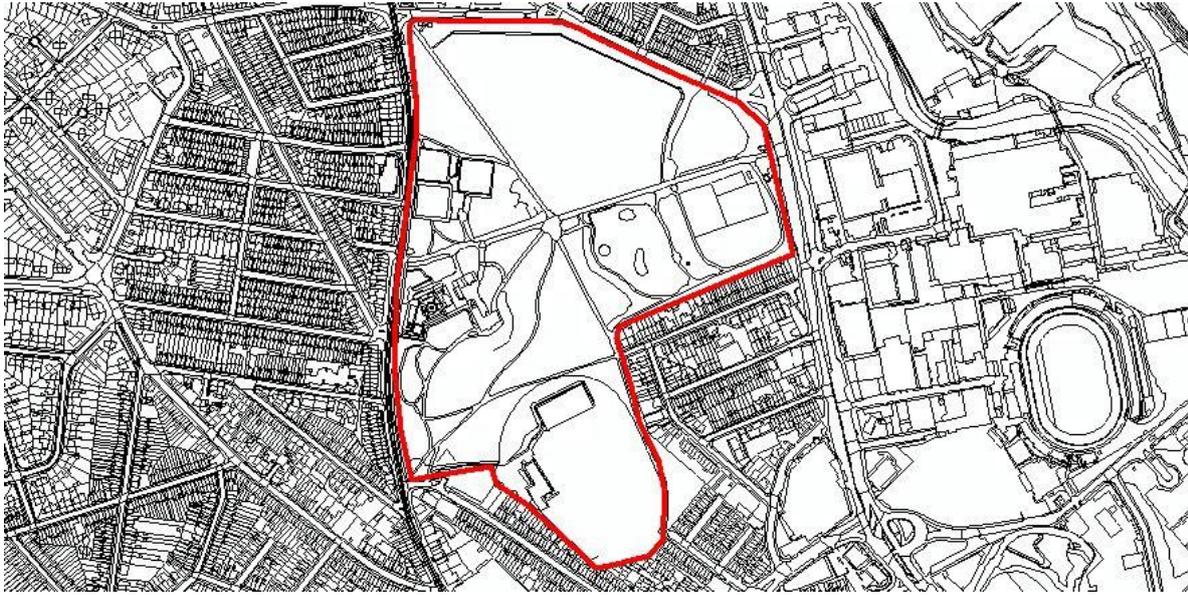
Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where

necessary in accordance with the requirements of the National Planning Policy Framework.

## Site Location



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## LOCATION AND PROPOSAL

The site relates to Hillsborough Park, which is located north-west of the City Centre. The park is located between Penistone Road and Middlewood Road, with Sheffield Wednesday's Hillsborough stadium positioned immediately north of the park. The district shopping centre of Hillsborough is located to the south. West of the park is characterised by Victorian housing, and there is also housing located adjoining the boundaries at the south and south-eastern corner. Land to the east mainly comprises industrial development along Penistone Road.

Hillsborough Park is designated as an Open Space area, a Historic Park and Garden and lies within the Hillsborough Conservation Area as defined by Sheffield Unitary Development Plan (UDP). There are also two Grade II listed buildings within the confines of the Park (Hillsborough Hall and The Lodge). A primary school located on Parkside Road to the north-western side of the park is also listed.

### Proposal

Planning permission is sought for the construction of an asphalt all-wheel bike track and learn-to-ride area; siting of 2 shipping containers for equipment storage and welfare facilities; provision of hard surfaced areas, benches, bike racks, signage, lighting columns and soft landscaping.

The bike track is to be located within the south-eastern corner of the park on a parcel of land immediately adjacent to the tennis courts and multi-use games area (MUGA). A footpath separates this parcel of land from another grassed area adjacent to the boundary wall adjoining the rear gardens of houses on Broughton Road. The bike track would be positioned between the southern side of the tennis courts and this footpath. The bike track would comprise approximately half of this grassed area (northern half) with the other half retained as grass. The grassed area and trees between the footpath and boundary wall adjacent to gardens on Broughton Road is to be retained. Additional tree planting is proposed within this area.

The scheme is proposed by Access Sport's Making Trax in conjunction with the Council's Parks and Countryside Department. Access Sport intend that the track will be an open access, all ages and all abilities facility and they aim to develop a cycling club, based at the track, with storage facilities for equipment and regular coaching sessions.

The submitted plan shows a learn-to-ride area which is to be contiguous with the MUGA. It is to be a flat multi-functional tarmacked area with coloured thermoplastic road markings, including crossing points, turnings and other coloured shapes. A beginner's pump track is proposed adjacent which is to be made up of gentle rollers (smooth mounds) and berms (bends). Both of these areas can be used by a wide range of wheeled vehicles, including adapted bikes, balance bikes, trikes and scooters.

The main portion of the proposal is to be a pump track, which is to be predominantly located parallel with the southern boundary of the tennis courts. The track is to be a continuous loop of berms (bends) and rollers (smooth mounds). Pump tracks are

intended to be ridden by cyclists of all ages and skill levels and are designed for mountain bikes, scooters, BMXs, skateboards and inline skates. The track is not designed for motorised bikes. A small flat-top galvanised steel fence (1.1 metre high) is proposed between the track and the footpath adjacent to Penistone Road, otherwise the track is intended to have open access and is to be free for all to use.

## PLANNING HISTORY

No relevant history.

## SUMMARY OF REPRESENTATIONS

Site notices were displayed within and around the park on 3<sup>rd</sup> June 2020 with an expiry date for comments of 28<sup>th</sup> June 2020

Gill Furniss MP has objected on behalf of her constituent, as summarised below:

- Existing problem with rats, the site will lead to an increase in rubbish.
- Vandalism and break-ins have occurred when picnic benches were placed in this area and subsequently moved – the herons stopped nesting on the pond.
- Depriving local people of green space which is used for cricket, football, rugby as well as picnickers and young families.
- Since lockdown, the park has been much busier, which after lockdown can be used for multiple purposes and become even more for good mental health.
- Removal of green space which regularly floods.
- Location seems to be chosen so Tramlines not compromised. Does not seem fair to accommodate a 3 day event for a proposal that will impact residents 365 days a year.
- Concerns over the consultation process .Neighbours have found it impossible to navigate the website or register concerns.
- A bike park is an exciting proposal, but would suggest that Wardsend and the Upper Don Trail is the perfect location.

Disability Sheffield -Sheffield Cycling 4 All is broadly supportive of the proposal provided the bike park is sufficiently low above ground level.

77 representations have been received of which 26 are in objection and 51 are in support of the scheme. The bulk of the objections are from residents living closest to the site, whereas the supporters are from a wider area.

The objections are summarised below:

- The patch of grass is used year round by people practicing football, rugby and cricket.
- There is no other area of the park that is floodlit and offers a flat grassed area for grassed based sports.
- Reconsider locating on grass adjacent to Hillsborough Arena.
- Could attract undesirable behaviour in the evening if it is not fenced off, causing nuisance to residents.
- Increase in antisocial behaviour.
- Will result in youths congregating, drinking, taking drugs.

- Located too close to homes, causing noise issues.
- Noise pollution.
- Increased litter.
- Anti-social behaviour at night when picnic benches used to be in place, proposal will cause similar.
- Will make residents feel unsafe.
- Lights should be switched off at 8pm.
- Carving off green space for a single use activity, which is possible in the park anyway.
- The park should promote sport for all, not one niche section of the public.
- Numerous other bike facilities elsewhere – Parkwood Springs, Bolehills, Devonshire Green.
- The path around the edge could become quite enclosed, being a corridor to Penistone Road rather than a part of the park.
- Unsure if sign posted as part of consultation. Not enough publicity.
- Residents do not feel engaged or consulted.
- Proposal will make park smaller and less attractive. It has already been reduced by creation of car park; the park is too small to lose another green area.
- Shipping containers not acceptable and will be an eyesore.
- Floodlight will impact views.
- It may add a facility to the park, but it would detract from the appearance.
- It will lead to an increase in traffic to the area, reducing on-street parking further.
- Not sufficient parking provision.
- Trams do not allow transportation of bikes and existing walking and cycling routes are poor, thereby increase in cars.
- Lighting will impact bats which are a protected species.
- Lighting could affect residents and local wildlife, notably wildlife using the nearby pond.
- No information regarding operating hours or expected number of visitors.
- Cyclists will pose a danger to pedestrians.
- Out of keeping for a conservation area.
- Will increase use in this area of the park by people who do not live there or consider family in area, leading to noise nuisance.
- Increase in activity during day and night.
- Site is one area of the park that does not flood, whereas other areas of the park become boggy. Proposal removes use of this area.
- Exacerbate flooding issues.
- Area is prone to flooding, asphalt will worsen this.
- Increase in cars accessing the site will increase air pollution.
- During Covid crisis the park has been used by a lot more people, helping maintaining mental health – this should be allowed to continue for all of the park; not a niche section.
- Eyesore made of asphalt is environmentally unfriendly.
- Overdevelopment of the park alongside the old stable block by Help The Aged.
- Already existing issues from football and Tramlines.

Non-material planning considerations

- It would worsen the view from houses on Broughton Road.
- Many other towns and cities do not have such facilities at all.
- Money would be better spent on cleaning the pond, repointing the park walls and clearing out rats.
- A condition of the scheme is that the East Lodge is renovated and used.
- Would it not be better to create a community space such as an allotment.
- A number of support comments are from people outside of Sheffield.
- People chose to live in local houses as they look out over greenspace, the proposal denies them this.
- Parkwood Springs or Wardsend Cemetery could be a more useful location, or the old ski village.
- Should site it next to the people who support the idea as they wouldn't need to travel to it.
- Introduction of new trees will prevent views of the park – residents moved here due to amenity, location, infrastructure and views.
- Could affect house prices.
- Trees were removed a few years ago due to impact on boundary wall.

Comments of support are summarised below:

- Brilliant location
- Wonderful addition to local area
- Supports young people
- Contributes to health and well-being of the community
- Cycling has an important role in reducing carbon emissions, fighting obesity, improving fitness, and improving air quality.
- Will attract visitors to Sheffield
- Great asset for all ages.
- Amazing addition to the cycling offer in Sheffield.
- Located in an underused area of the park.
- Wished it covered more area.
- Floodlit area allows for use after work in the evening time.
- Great all-weather facility as some dirt tracks can become vulnerable to damage in poor weather.
- Fantastic opportunity for local children to learn to ride.
- Opportunity for disabled and other groups to access a safe place for cycling.
- Skateboard England fully supports the development
- Safe environment for bikers to ride.
- The UK once led the way in Olympic cycling; tracks like this can create the new breed.
- It will be more approachable for beginners than the large mountain bike loop at Parkwood Springs or Bolehill BMX tracks which are for people with more developed skills.
- Hillsborough Park needs some investment like this. Parkwood Springs demonstrates that the more an area is used the safer it is, rather than attracting crime.
- The park is already noisy due to traffic; any extra noise will be drowned out.
- Hillsborough Park is popular but the large space is poorly used.

- The site area is small compared to the overall size of the park so any loss would be minimal.
- Having a premium facility built by a world class contractor would be another cycling facility to cement Sheffield's place as one of the finest mountain biking areas in the UK.
- Shipping containers butting up against chainlink fencing of the tennis court would not be an eyesore.
- Proposal is nicely situated in front of the multi-use games area so as to allow views through. Only the floodlights may be of concern, but could be located suitably and turned off at reasonable times.
- Anti-social behaviour seems to happen in secluded area of the park near the library where there is little footfall. Bike park will not increase or cause these issues. Proposal will increase footfall, limiting concerns.
- Would be an asset to Sheffield's outdoor city image.
- Social benefits of proposal, creative culture and civic engagement to soft policing and reduced anti-social activity.
- The development strongly aligns with Sport England's support to provide infrastructure to enable all members of society to take part in sport and physical activity.
- Floodlight concerns can be addressed by suitable conditions to ensure suitable switch off times.
- Ideal location with great transport links and parking.
- Severe lack of cycling training facilities to allow people to learn – proposal welcomed.
- Contribute to obesity and mental health in young people.

#### Sport England representation

Sport England (SE) were consulted on this application as the proposals involve a facility to serve an existing sports ground. They raise no objection and have stated the following:

Sport England supports the principle of facilities which encourage people who are inactive to be active and proposals which are in accordance with both government's Sporting Futures Strategy and help to deliver the five outcomes of their strategy (physical wellbeing, mental wellbeing, individual development, social and community development and economic development.) In line with the Government's National Planning Policy Framework (NPPF) (including Section 8) and Planning Practice Guidance (PPG) (Health and wellbeing section), Sport England consider that the proposal will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's ten Active Design principles promote environments that offer communities the greatest potential to lead active and healthy lifestyles. Those ten principles help ensure the design and layout of development encourages and promotes participation in sport and physical activity. Principle 7 supports the provision of appropriate infrastructure to enable physical activity to take place to enable all members of society to take part in sport and physical activity.

Sport England consider that the proposal would encourage active recreation, and enable the community to experience the benefits of taking part in physical activity and provide a facility to enable them to lead active and healthy lifestyles in

accordance with both the Government's and Sport England's' strategies. To ensure they are fit for purpose, the facilities should be designed in accordance with relevant British Cycling or the relevant National Governing Body, design guidance.

## PLANNING ASSESSMENT

### National Planning Policy Framework (NPPF)

The National Planning Policy Framework attaches great importance to the design of the built environment and emphasises its role in contributing positively to making places better for people, whilst not attempting to impose architectural styles or particular tastes.

Paragraph 11 of the NPPF requires that development that accords with up to date policies should be approved without delay. In instances where policies which are most important for determining the application are out-of-date, granting permission unless:

- The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when weighed against policies in the NPPF taken as a whole.

Paragraph 47 requires development to be determined in accordance with the development plan unless material considerations indicate otherwise.

The park is designated as an Open Space area, a Historic Park and Garden and lies within the Hillsborough Conservation Area as defined by Sheffield Unitary Development Plan (UDP).

### Land Use

Paragraph 97 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

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

UDP Policies LR2, LR5 and LR10 (Development in Open Space), and Core Strategy Policies CS47 (safeguarding open space) are applicable.

These local plan policies and paragraph 97 of the NPPF are broadly aligned, such that the local policies carry significant weight.

The principle of the proposed use is acceptable as it is a facility to support the leisure and recreational function of the park. Such facilities are acceptable in open space areas especially those which introduce new facilities and support the recreational function of open space areas, providing they do not degrade or result in the loss of important landscape features or areas of high quality open space.

The bike track would introduce a new facility into the park which is otherwise not currently catered for. The proposal is therefore compliant with UDP Policy LR2 which promotes new leisure facilities notably those which are small-scale local facilities. The bike track is to be located on a relatively small area of the park but would serve a wide area of Sheffield's population.

UDP Policy LR5 states that development in open space areas will not be permitted where they would damage the character of a Historic Park or Garden; or where they would harm the appearance of a public space. The bike track would comprise a very small area relative to the overall size of Hillsborough Park and therefore it is not considered that the proposal would be overdevelopment or result in the loss of an important area of the park. Significant areas of grass and open land within the park would be retained to be used for various recreational purposes, notably the large area of grass on the northern side of the park. The introduction of a bike track facility would be relatively small and would not undermine or prevent the park being used for other leisure purposes such as walking, running or grassed based sports etc.

Pre-application discussions were undertaken prior to this planning application being submitted which considered a number of locations across the park. The site currently shown was considered to be the only viable location. The northern half of the park appears to be unchanged from OS maps circa 1890, which comprises open grassed lawn and trees lining the footpaths and boundary edges. The south western area of the park comprises rolling grassed areas, tree-lined paths and is in vicinity of the Grade II listed Hillsborough Hall (Library). This open aspect in combination with tree lined footpaths form a strong character of the park's appearance and contributes to its designation as a Historic Park and Garden. A bike track positioned in these areas would ultimately affect the appearance of the park and the setting of the Listed Hillsborough Library.

The site chosen and shown on this application is immediately adjacent to the tennis courts and MUGA. This area of the park appears to be the only space which has been significantly altered since its creation. It is understood that the tennis courts were created around 1923, however the area now has a modern municipal character due to the tennis court fencing and the creation of the adjacent MUGA. Consequently the location of a bike track immediately adjacent to these utilitarian features is not considered to affect or degrade the appearance of the park any further. As mentioned, the proposed use would introduce a new facility within the park which is compatible with and supports the leisure function of the designated open space. It is therefore considered that the proposal would accord with the aims of LR5. Further assessment and consideration in terms of appearance and impact upon heritage assets will be given in later sections of this report.

The scheme would also comply with the aims of UDP Policy LR10 as it would improve facilities offered within the park and aid in providing a wider range of outdoor recreational opportunities without limiting current provision.

In addition to the above it is not considered that the proposed would harm the aims of Core Strategy Policy CS47 (Safeguarding Open Space). This policy seeks to protect open space and prevent development that would result in the loss of open space which is of high quality or of heritage landscape. As discussed the site in question is an area of the park which has been significantly altered due to the formation of the MUGA and tennis courts, and is sufficiently separated from the listed buildings within the park. Ultimately the proposal is a facility to support the function of the open space and adds a high quality facility to be used by members of the public for recreation purposes.

The principle of the proposed use does not undermine the aims of Local and National open space policies, and is supported by UDP Policy LR2, LR5 and LR10.

The principle of proposing a bike track in the location shown is considered acceptable and in line with local plan policies and the NPPF.

#### Design & Impact on Heritage Assets

Paragraph 124 of the NPPF identifies that good design is a key aspect of sustainable development. Paragraph 127 sets out a series of expectations including ensuring that developments add to the quality of the area, are visually attractive as a result of good architecture; layout and landscaping; are sympathetic to the local character and surrounding built environment; establish and maintain a strong sense of place; optimise the potential of a site and create places that are safe, inclusive and accessible.

UDP policies BE5 and Core Strategy Policy CS74 seek to achieve good design. UDP Policies BE16 (Conservation Areas), BE19 (Listed Buildings) and BE21 (Historic Park & Gardens) are also applicable. The aims of these policies are consistent with the principles of Paragraphs 124, 127 and 130 of the NPPF and can therefore be afforded significant weight.

The location shown is the only area within the park which has been significantly altered from the original layout of the park due to the creation of the tennis courts and MUGA. As stated previously, the application site would appear to be the most logical position to introduce such a facility by clustering them together. Other locations would likely harm the appearance of the park and affect the setting of the listed buildings. It is considered that the bike track would be read alongside the context of the hardstanding of the MUGA and the tennis court. The bike track would result in the loss of a small area of grass, being replaced by the tarmacked bike track. The bike track would ultimately be utilitarian in form offering little in terms of design. Whilst the loss of grass is not ideal, it is only a very small area in comparison to the overall size of the park, which has significant greenery and large grassed areas. The track would be raised above current ground level by a maximum of 1.7m due to the berms being created, however it would not be significantly prominent given its position in the corner of the park adjacent to the tennis courts and their

associated boundary structures. The bike track would have minimal impact in terms of the main views within the park. The site is in the most secluded area possible, despite its position close Penistone Road. It is considered that other locations within the park would impede views within the park and could affect the setting of either of the two listed buildings.

The proposed plans also include two shipping containers sited side by side, a number of picnic benches and the erection of 6 lighting columns to illuminate the area in the evening. The lighting columns have not been shown on the elevations. Lighting columns would not be dissimilar to existing lighting within the park and relevant details can be secured by condition. Picnic benches are features generally found in parks supporting their recreational function and do not require planning permission. The siting of shipping containers is not ideal however the applicant has stated that it is essential to have storage nearby to support the running of the proposed cycling club. They are to be positioned up against the eastern boundary of the tennis court and would be primarily screened from Penistone Road by existing trees on the boundary edge of the Park. Nevertheless a shipping container is not considered appropriate within this park without some form of cladding or feature to help disguise it or least minimise its prominence. The applicant is agreeable to cladding the shipping containers with an appropriate material or alternatively introducing a green wall to provide some design quality and/or reduce its prominence. A condition is recommended to be attached to secure cladding/green walls to an appropriate standard.

Further to the above, UDP Policy BE19 identifies that development is expected to preserve the character and appearance of a listed building and its setting, with Policy BE16 seeking to preserve or enhance conservation areas and Policy BE21 seeking to protect Historic Parks & Gardens. These policies align with the following guidance in the NPPF, although the NPPF goes further in describing the levels of harm, so can be given moderate weight.

The NPPF seeks to protect heritage assets from unacceptable harm (paragraph 190 NPPF). Paragraphs 193 to 199 of the NPPF identify how the effects and impacts on heritage assets should be considered. Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

It goes on to say that any harm to the significance of a heritage asset requires 'clear and convincing justification', that substantial harm to Grade II listed buildings should be exceptional (paragraph 194); and that, 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal' (paragraph 196).

In considering whether to grant planning permission for development which affects a listed building or its setting, section 66 of the Planning (Listed Building & Conservation Areas) Act 1990 states that the local planning authority shall have

'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

With reference to paragraphs 193 to 196, consideration has to be given to the impact upon the setting of the heritage assets. In this instance the heritage assets are as follows:

- Listed building,
- Historic Park & Garden.
- Conservation Area.

There are two Grade II Listed Buildings within the park, - Hillsborough Hall (The Library) and The Lodge (adjacent to eastern entrance on Penistone Road). The site is approximately 250 metres east of Hillsborough Hall separated by grassed area, tree lined footpaths and the fish pond. The scheme would have little impact upon the setting of Hillsborough Hall given the significant separation distance between and that it would not be seen in context with it.

The track would be located approximately 60 metres south of The Lodge. The tennis courts would be positioned between meaning the impact of the bike track upon the setting of this listed building would be negligible. The location of the existing tennis courts and the car park to the north have altered the setting of The Lodge and have more impact than the proposed bike track would have. The bike track would not be seen in the immediate context with The Lodge and would be somewhat screened by the tennis court fencing. The proposal would tantamount to 'less than substantial harm' as outlined within the NPPF in terms of impact to both Listed Buildings, however as discussed any impact would be minimal and the wider public benefits of the scheme in introducing a new facility within the park outweigh this harm.

In terms of the Conservation Area and Historic Park & Garden designation (heritage assets), as discussed previously it is considered that the impact would be minimal given the position within the corner of the park adjacent to the tennis court. This is the only area of the park which appears to have been altered since its creation and therefore the introduction of a new facility next to the existing MUGA and tennis courts would have minimal impact upon the overall character of the park. It is considered that the bike track would lead to less than substantial harm upon these heritage assets which would be outweighed by the clear public benefits of introducing a new facility in the park.

In conclusion, the clear benefits of providing the bike track for users of the park and the residents of Sheffield are considered to outweigh the less than substantial harm that the scheme would have upon the designated heritage assets. The proposal is therefore considered compliant with the aims of the NPPF.

#### Residential Amenity

Although the site is designated within an Open Space policy area, the site is located immediately next to an established housing area. Houses on Broughton Road back onto the park and will therefore be in proximity to the proposed bike park.

UDP Policy H14(c) states that in Housing Areas, development will be permitted provided that the site would not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

The above policy closely aligns with the aims of Paragraph 123 c) and 127 (f) of the NPPF and can be afforded significant weight.

The structure of the bike track would be suitably separated from neighbouring houses to ensure that the structure does not impact upon neighbouring living conditions. However, the use of the proposed bike track does have the potential to impact upon the neighbouring living conditions of houses on Broughton Road which run along the southern boundary line. The bike track would be separated by a distance of approx. 30 metres from the boundary wall of those gardens. A grassed area, footpath and a further grassed area would be retained between with a number of trees positioned along the boundary line.

The scheme has the potential to introduce additional noise into the park, though the use of the facilities would be consistent with the established use of that section of the park for similar purposes i.e. the MUGA and tennis courts. Any additional noise is therefore judged as consistent with the 'character of the area' in terms of a nuisance determination. The main potential for nuisance outside of this established use would seem to be any increased potential for persons to congregate (loiter) in the area after hours, possibly attracted by the lighting associated with the bike track. The facility is to be open access, so there is no potential for closing it when not in legitimate use.

It is not considered that the introduction of a bike park would increase noise levels to a degree significantly above that which already occurs from use of the tennis courts, MUGA and people playing sports on the grassed area. Acknowledgment is also given to the fact that this area of the park is in close proximity to Penistone Road which carries significant traffic and therefore offers a significant background noise nuisance as current. It is however recognised that lighting could attract people into this area of the park later into the evening and therefore it would seem that control of the lighting offers the best practicable mechanism to minimise any antisocial or undesired use of the facilities in later hours, when nuisance potential is greatest. It is acknowledged that local residents have raised concerns with regards to drug use, littering etc; however it cannot be ascertained that a bike park would increase such problems, and these problems seem to be existing issues as referenced by a number of local residents. Drug use and anti-social behaviour would be a Police matter, however it should be noted that the South Yorkshire Police have not raised objection to the application proposal and the scheme has been designed with 'Secure by Design' principles.

Conditions are recommended to secure an appropriate design of the lighting and an appropriate switch-off time. It is considered that an automated switch-off time of 2130 hours for the lighting is necessary, in consideration of the 'wind-down' indicated as necessary in the submitted Design & Access Statement for safety reasons, and to allow time for clearing away and securing any bikes or equipment used by the proposed Cycling Club. It is anticipated that this would be consistent with a published finish time of 2100 hours for the last session biking session. Similarly, the 0730

hours switch-on time allows for safe set up, with commencement of the first session at 0800 hours. Such conditions would aid in reducing the potential for activity in this area of the park into the late evening and would ensure that the lighting can be controlled to ensure that it is not directed towards or impact upon the local residents on Broughton Road.

Subject to the above conditions, it is considered that the proposal would be acceptable and in accordance with UDP Policy H14 and the aims of the NPPF.

### Landscaping

Policy BE6 states that good landscape design will be required in all new developments.

This policy is consistent with Paragraph 127 b) of the NPPF and can be afforded significant weight.

UDP Policy GE15 states that trees and woodland will be protected by planting, managing and establishing trees and woodlands and not permitting development which would damage existing woodlands.

This policy broadly aligns with para 170 b) of the NPPF.

The proposal would result in the loss of small section of grassed area. This is significantly small relative to the size of the park. As mentioned previously, the bike track will have a minimal impact upon the setting of the park and its landscape.

A submitted tree survey confirms there are existing veteran trees within the confines of the site boundary; positioned lining the boundary. The submission indicates that these trees are not to be removed and contribute to the character of the park.

Seven new trees are to be planted along the boundary line with the houses on Broughton Road. This will provide some further screening to this area of the park. A condition is recommended to be imposed to secure details of the species and planting methods and to ensure these trees are planted.

The scheme would therefore be compliant with UDP Policies BE6 and GE15, and paras 127 b) and 170 b) of the NPPF.

### Ecology

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 (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. Part d) of paragraph 175 goes on to state that opportunities to incorporate biodiversity improvements in and around

developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Policy GE11 of the UDP seeks to protect and enhance the natural environment ensuring that the design, siting and landscaping of development respects and promotes nature conservation and includes measures to reduce any potentially harmful effects of development.

The site area as existing is grassed lawn which has limited biodiversity value and is largely used for recreation purposes which is likely to deter much wildlife from this area in any instance.

The site is approx. 30 metres east of the fish pond which is home to various wildlife, such as ducks and geese. It is not considered that the bike track would provide any additional harm over and above that caused by the MUGA or people using the site for recreational activities such as football, cricket and other sports.

The scheme includes the planting of 7 trees which will provide a small net gain in biodiversity and therefore would comply with the aims of the NPPF.

#### Flood Risk

A Flood Risk Assessment carried out by Ambiental has been submitted in support of the application as the majority of the site is located within Flood Zone 2.

The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

The site comprises an area of approx. 230 square metres.

Whilst part of the site is within Flood Zone 1, the majority of the site is classified as being located in Flood Zone 2 which is categorised as “Land having between a 1 in 100 and 1 in 1000 annual probability of river flooding”

Due to the intended use of the site for outdoor sports and recreation, the site has been classified as “water-compatible development” in accordance with Table 2 of the NPPF Planning Guidance.

Taking into account the site being located within Flood Zone 2 and the Vulnerability Classification class being water-compatible development, Table 3 of the NPPF Planning Guidance confirms that the development is appropriate and hence there is no requirement to undertake an Exception Test.

The submitted Flood Risk Assessment states that there are no EA or SFRA records of flooding from any source on site. It also states the flood risk to the site appears to be largely dictated by topography. The east of site is at a relatively low topographic level and is located in Flood Zone 2. The east of site is also considered to be at risk from groundwater flooding, and would be at risk in a ‘Low risk’ surface water flooding

event. By contrast, the western area of the site, which is at a relatively higher topographic level, is located within Flood Zone 1 and is considered to be at limited risk of groundwater flooding and would not be affected in any modelled surface water flooding event.

A pragmatic approach should be taken to flood risk given the small area of the site. The development is to comprise impermeable hard-surfacing, however the submission includes reference to a surface water drainage strategy. Details of such have not been provided. Given that the proposal is defined as 'water compatible' it is considered that a condition is appropriate to secure details of the surface water drainage strategy which would allay concerns in terms of the small risk of flooding on this site.

### Highways

Development should seek to ensure highway safety as required under paragraph 108 of the NPPF. Paragraph 109 of the NPPF further states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'.

The bike track would be located within the confines of the park. Whilst it would be adjacent to Penistone Road, it would not be significantly visible and would be partly screened by existing and proposed trees. The scheme is not considered to have a detrimental impact to highway safety or interfere with or provide a distraction to motorists.

Local residents have raised concerns that the bike track would likely increase car usage. The track is relatively small and it is unlikely that it would increase vehicular movements to the park to a level that could be considered to be harmful. Many users are likely to traverse to the site on bike, however there is paid parking available within the park to cater for motorists.

### Other Matters

Tramlines festival is currently held within Hillsborough Park annually. It is understood that Tramlines utilise the south-eastern corner for VIP areas and as a means of ingress and egress for the event. The scheme has been designed to ensure that it does not affect the viability of that event which attracts circa 40,000 people.

The site is also used by Friends of Hillsborough Park, Sheffield Cycling for All, Hillsborough Park Bowling Club, Age UK and Tennis Sheffield. The scheme would not interfere with these parties.

### CONCLUSION AND RECOMMENDATION

Planning permission is sought for the construction of an asphalt all-wheel bike track and learn-to-ride area, siting of 2 shipping containers for equipment storage and welfare facilities; provision of hard surfaced areas, benches, bike racks, signage, lighting columns and soft landscaping

The principle of the development is accepted under Paragraph 97 of the National Planning Policy Framework (NPPF). The proposal is also considered to comply with Open Space policy outlined within Policies LR2, LR5 and LR10 of the Unitary Development Plan (UDP), as well as Core Strategy Policy CS47.

It is considered that the proposal represents an appropriate form of development which would support the recreational function of the park and would introduce a new facility providing additional recreational choice for the residents of Sheffield. The proposed scheme is considered to have minimal impact upon the heritage assets of the Grade II Listed Buildings (Hillsborough Hall and The Lodge), Hillsborough Conservation and the designation as a Historic Park & Garden. The development is minimal in the context of the size of the park, being located adjacent to the tennis courts and multi-use games area (MUGA) within the south-western corner of the park. The proposal would not interfere with any key views within the park given its proposed position. This area appears to be the only location which has been altered since the creation of Hillsborough Park back in the 1890's. The harm to the designated heritage assets is considered to be less than substantial and is clearly outweighed by the public benefits of the scheme of encouraging greater participation in sport in a safe environment which can lead to substantial health and welfare improvements.

The bike track is considered compatible with the existing recreational uses within the parks and is not considered to create any greater noise nuisance than existing usage of the tennis courts and MUGA. A condition is however recommended to be imposed to ensure lighting is set to be switched off at reasonable times to limit the potential for activity in this area to carry on into the late evenings.

The site is located within Flood Zone 2, however the proposed use is defined as 'water compatible' in accordance with Table 2 of the NPPF Planning Guidance and therefore the development is appropriate. As the site is to be formed of predominantly impermeable surfacing a condition is recommended to be imposed to secure details of a surface water drainage strategy.

For the reasons given within the report, it is considered that the development would be in accordance with the aims of the National Planning Policy Framework and Local Plan policies, specifically UDP Policies LR2, LR5, LR10, BE5, BE6, BE16, BE19, BE21 and GE15 as well as Core Strategy Policies CS47 and CS74.

It is recommended that planning permission is granted subject to the listed conditions.