

EP16

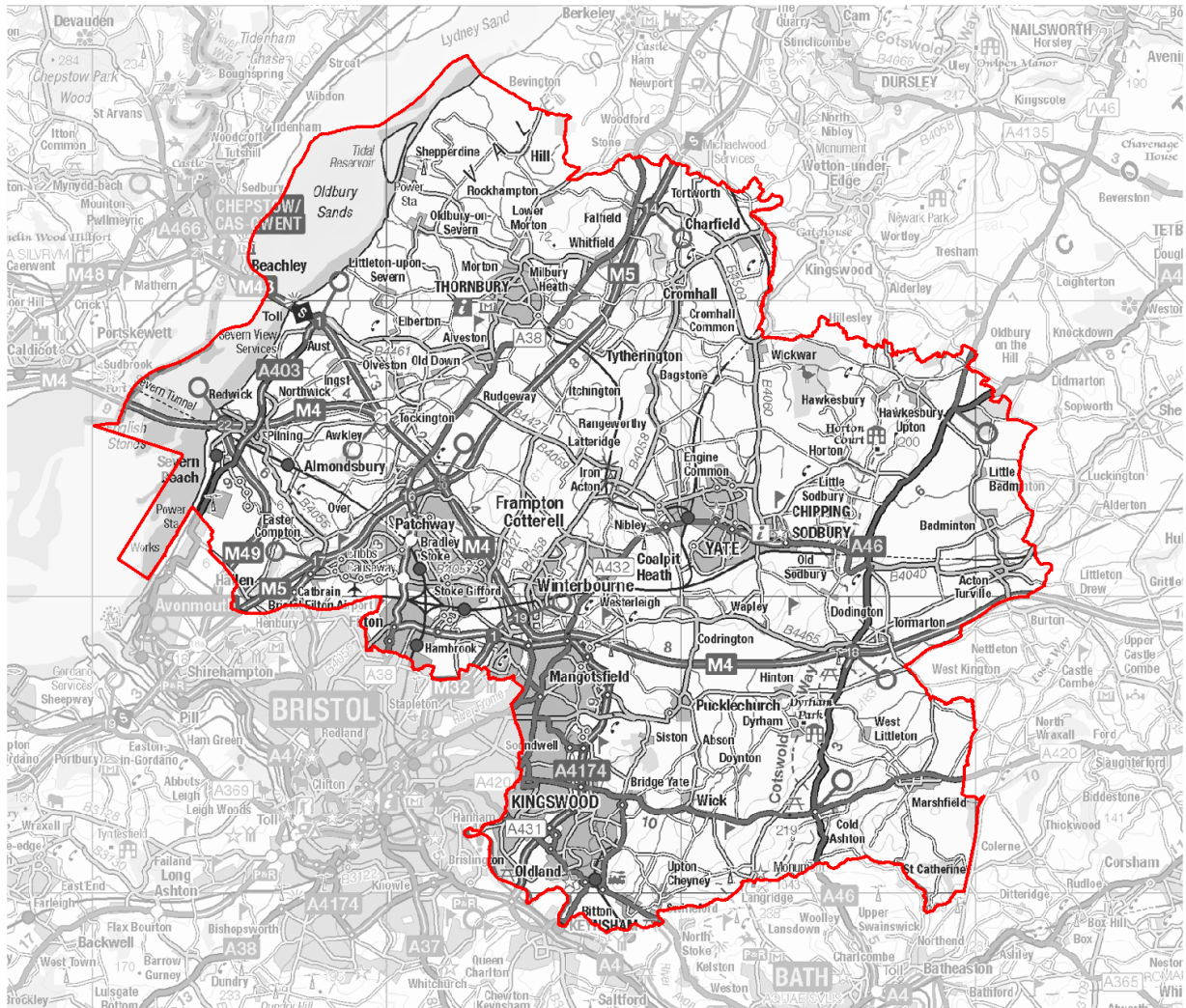
# **2021 AMR AND** **SUPPORTING APPENDICES**

South Gloucestershire Council

Authority's Monitoring Report (AMR)  
2021

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# The South Gloucestershire Local Authority Area



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## Executive Summary

The Authority's Monitoring Report (AMR) produced by South Gloucestershire Council monitors the performance of the Council's adopted planning policies, and sets out progress in preparing the Council's planning documents.

Indicators relate to policies contained within the adopted Core Strategy (2013) and Policies, Sites and Places (PSP) Plan (2017) are monitored and reported on in the AMR.

This is the seventeenth AMR published by South Gloucestershire Council and covers the monitoring year of 1 April 2020 to 31 March 2021.

This executive summary highlights some of the key findings for this monitoring period. **For full details including data sources please refer to the relevant sections of the AMR.**

### A Social Role

**1,650 new homes** were completed in 2020/2021, the highest numbers since the 1991/1992 monitoring year. This has been the fifth year in a row of consistently high completions.

- 343 (21%) of which were on previously developed (brownfield) land.
- 50% of completions were within the established urban areas of the East (27%) and North (23%) fringes of Bristol and the market towns of Yate/Chipping Sodbury (16%) and Thornbury (13%), thereby demonstrating housing delivery in accordance with the Council's adopted Core Strategy.

**403 Affordable Homes were delivered** in the monitoring year 2020/2021.

- 60% of which were in the urban areas of the North and East Fringes of Bristol.
- Of the 403 homes, 305 were for social rent, 8 were for affordable rent, 89 are shared ownership and 1 was for affordable home ownership.

South Gloucestershire's 5-year housing land supply at March 2022 is confirmed at 5.99 years which was published as an update on our website in March 2022.

- Please see **Appendix A: Housing Trajectory** for further details relating to the Council's 5 year housing land supply.

The Council has published its Brownfield Land Register to its website. The 2021 Brownfield Land Register comprises of two parts:

- Part 1 shows sites within the district that have planning permission on brownfield land and are expected to commence in the next fifteen years. In 2021 the register contains: **132 sites, 86 of these are live with potential to deliver 4,399 new homes.**
- Part 2 of the Brownfield Land Register is required to set out sites which the council considers "permission in principle" would be suitable to grant. At this time Part Two does not contain any sites as insufficient information is

available to establish if there is a responsible prospect of sites being delivered.

## **An Economic Role**

At the time of initial publication in April 2021, information in this section is still being assessed. The Economic Land Survey has been undertaken and the information is being processed and will be updated in due course.

From the 1 September 2020 the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 amended the Town and Country Planning (Use Classes) Order 1987 and introduced significant changes to the system for use classes. Among the changes was the introduction of three new use classes Class E – Commercial, Business and Service, Use Class F1 – Learning and non-residential institutions and Use Class F2 – Local community uses. The new 'Class E' combined the previous use classes:

- A1 Retail
- A2 Financial and Professional
- A3 Café and Restaurant
- B1 Business
- D1 Clinics, Health Centres and Creches
- D2 Leisure

The indicators we have historically monitored concerned use classes that no longer exist.

The combining of these use classes into a single use class means that the above uses are interchangeable without planning permission being required.

The continued monitoring of these indicators is therefore no longer possible, and no surveys were undertaken in 2021. The council is currently assessing how we might undertake retail surveys in future to reflect new regulations and ensure monitoring is effective.

## **An Environmental Role**

- There has been no change to the area recorded as Green Belt (GB) in the 2020/2021 monitoring year. There is currently 23,026ha of Green Belt land in the district.
- The Heritage Lottery Fund Project 'A Forgotten Landscape' completed in 2019/2020.
- Work is on-going for the Avonmouth Severnside Flood Defence Improvements Project. As well as raising the sea wall in response to global warming and rising sea levels, the project will create a minimum of 80ha of new wetland habitat at Northwick and Hallen Marsh in Bristol.

- The Council has continued to make progress with its Green Infrastructure initiative in which South Gloucestershire's network of local, national and international wildlife sites form the backbone. Mapping this will help target tariffs generated in the future through the Environment Bill's Net Gain which will bring benefits to at least some of these designated sites.

## Introduction

The Authority's Monitoring Report (AMR) aims to show how the Council's planning policies have been implemented for the previous financial year (1 April – 31 March) and how the Council's planning documents are progressing.

This is the seventeenth AMR prepared by South Gloucestershire Council; it covers the period 1 April 2020 to 31 March 2021 and builds on data presented in previous AMRs.

The planning reforms set out in the Localism Act 2011 removed the duty to submit monitoring reports to the Secretary of State annually. However, the requirement to publish this information for the public in no more than yearly intervals still exists. On 30 March 2011 all Local Authorities received a letter from the Government<sup>1</sup> announcing the withdrawal of guidance<sup>2</sup> on local plan monitoring, allowing local authorities to choose which targets and indicators they include in their monitoring report.

The Council is committed to ensuring that the effectiveness of its planning policies is monitored through a process of plan, monitor and manage. The AMR is an essential tool in this process.

## Structure of the AMR

South Gloucestershire is a complex and diverse area. The Council is committed to addressing the issues that local communities feel are important to their social, economic and environmental well-being in a way which draws on the energy and expertise of all. Key issues have been developed with our partners and communities who have contributed to the preparation of the Local Plan. Our partners are comprised of parish and town councils, voluntary and community groups, local businesses and public sector agencies among other groups.

The AMR has been structured to follow themes, set out as the Key Issues, in the adopted Local Plan. It reports on policies in the adopted Core Strategy (2013), the Policies, Sites and Places Plan (2017) as well as the Joint Waste Core Strategy (2011).

The AMR examines what has happened in the area in the past helps to identify key challenges and opportunities for future local planning policy.

## Types of indicator monitored in this report

Local planning authorities can choose which targets and indicators they include in their monitoring report. The indicators in this report are regularly reviewed in order to

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<sup>1</sup> Letter from the Parliamentary Under Secretary of State, Bob Neill MP

<sup>2</sup> Local Development Framework Monitoring : A Good Practice Guide (ODPM, 2005)  
Annual Monitoring Report FAQs and emerging Best Practice 2004-05 (ODPM, 2006)

Regional Spatial Strategies and Local Development Framework: Core Output Indicators – Update 2/2008 (CLG, 2008)



ensure that they continue to be the most effective measures to assess the performance of Local Plan.

As outlined above, the report monitors against the key issues identified in the Local Development Plan which have been highlighted by South Gloucestershire Council to help to monitor key issues which are important in the area locally.

### **Sustainability Appraisal and Significant Effect Indicators**

The purpose of the sustainability appraisal (SA) process is to appraise the social, environmental and economic effects of a Local Plan from the outset. In doing so it will help ensure that decisions are made that contribute to achieving sustainable development.

Sustainability appraisal is integral to the plan-making process. It should perform a key role in providing a sound evidence base for the plan and form an integrated part of the plan preparation process. It should be transparent and open to public participation, and it should inform the decision-making process to facilitate the evaluation of alternatives. It should also help demonstrate that the plan is appropriate given the reasonable alternatives.

The first stage in preparing an SA involves understanding the social, economic and environmental baseline for the plan area as well as the sustainability policy context and key sustainability issues, it is referred to as the scoping stage. The Scoping Report sets out baseline data on sustainability issues in South Gloucestershire, key issues relating to sustainability along with plans and programmes relevant to consider when producing the new Local Plan. The key output of the Scoping Report is the identification of a set of Sustainability Objectives, which are used to appraise the potential effects of emerging policy and options for achieving growth.

The Council prepared a Scoping Report in autumn 2020. This draft Scoping Report was then published in October 2020 for a five-week consultation period with the environmental bodies (Historic England, Natural England and the Environment Agency) in line with Regulation 4 of the Environmental Assessment of Plans and Programmes Regulations 2004.

The responses received during this period informed the preparation of the Sustainability Appraisal of the Local Plan Phase 1 consultation document which was published in November 2020.

In February 2020, the Council published its Local Plan Phase 2 consultation document and alongside it a Sustainability Appraisal. Further information about this is available to view on the Local Plan Evidence Base page on the [Council's website](#).

### **Reporting on the Local Plan Delivery Programme**

AMRs are expected to report upon whether the milestones or targets in the Local Plan Delivery Programme (formerly known as the Local Development Scheme), are on track. The council's current LPDP is available at:

<https://beta.southglos.gov.uk/local-plan-delivery-programme/>

## **Annual Monitoring Report linkages**

The data contained within this AMR is drawn from, and complements, a range of council strategies and other policy areas, notably South Gloucestershire's Council Plan 2020: [Council Plan 2020 – 2024 | BETA - South Gloucestershire Council \(southglos.gov.uk\)](https://www.southglos.gov.uk/council-plan-2020-2024)

Through the West of England Joint Planning Data Group, work continues to be carried out in order to develop a consistent approach to monitoring.

## **Planning Strategically Across Boundaries**

The National Planning Policy Framework places local planning authorities under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries. The Council reports on how the duty is being taken forward through its AMR - further details are set out in the **Duty to Cooperate** section.

## The South Gloucestershire Context

Alongside the monitors in the AMR it is also helpful to develop and understanding of the South Gloucestershire context over time. Below are links to contextual information that help build a picture of the changing dynamic of the South Gloucestershire area which inform and are influenced by the policies monitored in our Local Plan. The links below explore the demographic structure, society and communities, labour market characteristics, housing and the built environment, transport and accessibility as well as key environmental issues.

- [Quality of Life Report](#)
- [Economic Briefings](#)
- [Interactive Area Data Profile](#)
- [English Indices of Deprivation Analysis](#)
- [Know Your Place](#)
- [Census 2011](#)

## Plans and Policies

### Planning Policy Context – Local

The current development plan for South Gloucestershire comprises the **Core Strategy** (adopted 2013), the **Policies, Sites and Places (PSP) Plan** (adopted 2017,) and the **West of England Joint Waste Core Strategy** (adopted 2011).

### Local Plan Delivery Programme (LPDP)

The Local Plan Delivery Programme, formerly known as the Local Development Scheme, is a rolling three year programme for the preparation of Local Plan\* documents and Supplementary Planning Documents. It is available to view on the current [Local Plan Delivery Programme](#) webpage. Further updates will be made of the LPDP as required.

\*Definition of Local Plan: The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004 and as amended by subsequent legislation. Current core strategies or other planning policies, which under the regulations would be considered to be development plan documents, form part of the Local Plan. The term includes previously adopted policies which have been saved under the 2004 Act and neighbourhood development plans.

### Commentary on Progress on the preparation of the Local Plan (Development Plan Documents) and Supplementary Planning Documents as of January 2021

The **Policies, Sites and Places Plan** (PSP Plan) was formally adopted by the Council on the 8 November 2017. Upon adoption the PSP Plan, in combination with the Core Strategy (2013) and the Joint Waste Core Strategy (2011) completed the up to date development plan for South Gloucestershire. Upon adoption, the PSP Plan replaced the 'saved' policies of the Local Plan (2006) and Minerals and Waste Local Plan (2002).

Preparation of a Spatial Development Strategy covering the four authorities of Bristol, Bath and North East Somerset, South Gloucestershire and the West of England Combined Authority is currently underway. This work is being coordinated by the West of England Combined Authority (WECA) working with the three authorities. The Spatial Development Strategy (SDS) will set out strategic policies for the West of England area. Further information on this can be found in the South Gloucestershire [Local Plan Development Program \(LPDP\)](#) or on WECA's [website](#).

## 1. High Quality Design and Responding to Climate Change

High quality urban design, the provision of Green Infrastructure, and new renewable and low-carbon energy sources, all have a key role to play in responding to climate change, as well as creating distinctive, linked places that support social inclusion and healthy sustainable lifestyles. This chapter sets out the key policies for managing the impact of climate change and directly links to the priorities of the Sustainable Community Strategy and the Council Strategy.

### Core Strategy Objectives

- Promoting high quality design that responds to its context, the distinctive assets of the district and creates 'sense of place' and civic pride
- Using design to create attractive, cohesive, safe and inclusive communities with better integration between housing, jobs, services, public transport and facilities, so that people lead healthier lives and have the opportunity to reduce their CO2 footprint and adapt to the impacts of climate change
- Protecting and enhancing valued open spaces and green links to create a network of connected and multi-functional, attractive and accessible spaces for people and wildlife, and to provide climate change adaptation and mitigation functions
- Providing opportunities for flora and fauna to adapt to climate change
- Ensuring that environments for play are delivered as an integral part of the design of sustainable communities
- Promoting energy efficient development and new sources of decentralised, renewable and low carbon sources of energy
- Understanding and reducing susceptibility to flood risk
- Managing the impacts of urban intensification

Core Strategy policies in this chapter:

- CS1 High Quality Design
- CS2 Green Infrastructure
- CS3 Renewable and Low Carbon Energy Generation
- CS4 Renewable or Low Carbon District Heat Networks

On 8 November 2017 the Council adopted its Policies, Sites and Places (PSP) Plan. Policies, Sites and Places Plan policies that will feature in this chapter:

Policies, Sites and Places Plan policies in this chapter:

- PSP2 Landscape
- PSP3 Trees and Woodland
- PSP4 Designated Local Green Spaces
- PSP6 Onsite Renewable and Low Carbon Energy

### Declared Climate Change Emergency - 2019

In July 2019 the council declared a Climate Change Emergency and has pledged to provide the leadership to enable South Gloucestershire to become carbon neutral by 2030. A set of recommendations for action were published in 2020, and a year 1 climate emergency action plan was approved. Further information on progress and actions can be found [here](#) and an annual report on the Climate Emergency will be published each December. In future years the AMR will be able to report on the projects, initiatives and future planning policy that will be put in place to address the emergency.

### Proportion of energy produced from renewables

The Council already publishes these figures in the annual [Quality of Life Report](#) on its website.

### Number of permissions on Local Green Space that are contrary to Policy PSP4

Monitoring Year	Application contrary to PSP4		Application not contrary to PSP4		Applications withdrawn
	Applications approved	Application Refused	Applications approved	Application Refused	
2018/19	0	2	1	0	0
2019/2020	0	0	3	0	0
2020/2021	0	0	0	0	0

**Table 1.1**

### Commentary

There have been no applications approved contrary to the objectives of policy PSP4 Designated Local Green Spaces.

## 2. Managing Future Development

The core principle of national policy is delivering sustainable development.

Managing future development is a key priority of the Council's Sustainable Community Strategy and the Council Strategy, so that we deal positively with the challenges posed by growth, by planning in a sustainable and integrated way for high quality homes, associated employment opportunities, local community facilities and a convenient and safe transport network which meets our communities' needs and aspirations.

Future development in South Gloucestershire will put further pressure on existing infrastructure, much of which is at or nearing capacity. In order to cope with the additional demand generated by new development and to meet Sustainable Community Strategy objectives, this infrastructure will require improvement and, in some cases, additional provision. Without new investment, both existing communities and future new neighbourhoods will not be sustainable. New development will therefore be expected to contribute towards the provision of necessary infrastructure to support the development of sustainable healthy communities and climate change mitigation and adaptation objectives.

### Core Strategy Objectives

- Concentrating the majority of new development to take advantage of existing services and facilities and higher levels of accessibility
- Locating development where it will provide the opportunity to minimise the need to travel and allow safe and convenient access to services by walking, cycling and public transport
- Recognising and protecting the identity and heritage of existing communities
- Promoting greater self-containment and enhancing the service centre role of the market towns of Thornbury, Yate and Chipping Sodbury
- Supporting local housing needs and services in villages
- Protecting the Green Belt and the countryside from inappropriate development
- Providing a range of infrastructure, together with integration and access, in step with new development
- The Council will continually and positively work with communities, developers and infrastructure providers to ensure implementation of the plan is viable and not put at risk throughout the economic cycle as part of pursuing sustainable development

Core Strategy policies in this chapter:

- CS4A Presumption in Favour of Sustainable Development
- CS5 Location of Development

- CS6 Infrastructure and Developer Contributions

On 8 November 2017 the Council adopted its Policies, Sites and Places (PSP) Plan. Policies, Sites and Places Plan policies that feature in this chapter:

- PSP7 Development in the Green Belt
- PSP8 Residential Amenity
- PSP9 Health Impact Assessments

### Statutory Green Belt change (Related to Policy CS5 and PSP7)

Year	Statutory Green Belt change
2013/2014	- 205.47 ha
2014/2015	None
2015/2016	None
2016/2017	None
2017/2018	-0.1 ha
2018/2019	None
2019/2020	None
2020/2021	None

**Table 2.1**

Source: MapInfo (Cartesian Measure)

### Commentary

Green Belt (GB) serves several important functions in planning terms; it prevents the (otherwise) unrestricted sprawl of large built-up areas; it prevents the coalescence of neighbouring towns and focuses development towards urban areas.

There has been no change to the Statutory Green Belt area in South Gloucestershire for the 2020/2021 monitoring year.



### Appeals Allowed / Dismissed where Policy PSP7: Green Belt was a material consideration

Date	PSP8	
	Allowed	Dismissed
2018/2019	3	0
2019/2020	8	1
2020/2021	0	5

**Table 2.2**

#### Commentary

The Policies, Sites and Places Plan includes PSP7 Development in the Green Belt. In the monitoring year 2020/21, 5 appeals have been dismissed where PSP7 was a material consideration. Monitoring will continue to ensure the effectiveness of the policy however, the limited information above shows that the policy works effectively.

### Appeals Allowed /Dismissed where Policy PSP8: Residential Amenity was a material consideration

Date	PSP8	
	Allowed	Dismissed
2018/2019	11	0
2019/2020	8	2
2020/2021	1	16

**Table 2.3**

#### Commentary

The Policies, Sites and Places Plan includes PSP8 Residential Amenity. In the monitoring year 2020/21, only 1 appeal has been allowed where PSP8 was a material consideration. Monitoring will continue to ensure the effectiveness of the policy however, the limited information above shows that the policy works effectively.

**Policy PSP9 - Very Major Developments and other qualifying developments that have submitted a Health Impact Assessment (HIA) as part of a planning application**

<b>Year</b>	<b>Very Major applications approved</b>	<b>HIA Submitted as part of the application</b>
<b>2018/2019</b>	7	0
<b>2019/2020</b>	3	1
<b>2020/2021</b>	1	0

**Table 2.4****Commentary**

No Health Impact Assessments were submitted as part of a Very Major application approved in the monitoring year 2020/2021.

One major application was approved which was P19/11377/RM for 247 dwellings.

### **3. Tackling Congestion and Improving Accessibility**

The Council is committed to working with the other three West of England unitary authorities on transport issues through the Joint Transport Executive Committee (JTEC) and the Joint Local Transport Plan (JLTP) and with businesses through the Local Enterprise Partnership (LEP). The JLTP provides the primary strategy for improving transportation in the locality. Relieving congestion is paramount to the continued economic prosperity of South Gloucestershire, to the health and wellbeing of its residents and to climate change mitigation objectives. Delivery of enhanced travel options to significant destinations, by means other than the private car is therefore a key objective of the JLTP and Council's Core Strategy. This is consistent with the Sustainable Community Strategy's priority of managing future development in a positive way.

#### **Core Strategy Objectives**

- Reducing congestion and air pollution by improving accessibility by means other than the private car
- Widely, improving and enhancing opportunities for walking, cycling and using public transport, and particularly to significant destinations, such as educational establishments, hospitals and employment areas
- Completing delivery of the Greater Bristol Bus Network and delivering the North Fringe to Hengrove Package, the link from Temple Meads – Emersons Green and the Greater Bristol Metro Project

Core Strategy policies in this chapter:

- CS7 Strategic Transport Infrastructure
- CS8 Improving Accessibility

On 8 November 2017 the Council adopted its Policies, Sites and Places (PSP) Plan. Policies, Sites and Places Plan policies that will feature in this chapter:

- PSP15 Park and Ride/Share

#### **Number of permissions for Park and Ride/Park and Share/Kiss and Ride**

##### **Commentary**

Permission was granted for the Yate Park and Share in November 2020 which has recently completed. PSP47 continues to safeguard land for the Park and Share in Tormarton as well as the Park and Ride in Nibley, Yate.

##### **Additional Information on Chapter 3**

There are currently no further monitoring indicators for this key issue. However, the Council continues to support and progress the objectives outlined above to reduce the overall number of cars on the road by promoting initiatives such as expanding the cycle network and investment in Metrobus.

The Council will continue to consider how this key issue can be monitored in future to ensure the objectives outlined in the development plan can be measured for success.

As part of the Joint Local Transport Plan (JLTP) process, an annual report on progress is produced. The most recently published versions of this relate to the JLTP4, and can be accessed through the TravelWest website at <https://travelwest.info/projects/joint-local-transport-plan>.

## 4. Managing the Environment and Heritage

Valuing the environment is a key priority of the Council's Sustainable Community Strategy and the Council Strategy and is central to the vision of the Core Strategy.

This chapter of the Core Strategy sets out the Council's approach to managing the high quality and diversity of our natural and historic environment. The features and resources which are integral to the character and identity of South Gloucestershire are increasingly under threat from development, as well as being at risk from the effects of climate change. However, these environmental assets can also be used to make a positive contribution to mitigating the impacts of climate change and to improving health and well-being.

### Core Strategy Objectives

- Conserving and enhancing the character and distinctiveness of the district's heritage assets and maximising their contribution to quality of place
- Conserving and enhancing the district's distinctive landscapes, natural environmental resources and biodiversity
- Safeguarding mineral resources for the longer term while ensuring an adequate and steady supply to meet identified needs
- Safeguarding the quality of natural resources and ensuring prudent use
- Protecting land, air, aqueous environments, buildings and people from pollution

Core Strategy policies in this chapter:

- CS9 Managing the Environment and Heritage
- CS10 Minerals

On 8 November 2017 the Council adopted its Policies, Sites and Places (PSP) Plan. Policies, Sites and Places Plan policies that will feature in this chapter:

- PSP17 Heritage Assets and the Historic Environment
- PSP18 Statutory Wildlife Sites: European Sites and Sites of Special Scientific Interest (SSSI's), PSP19 Wider Biodiversity
- PSP20 Flood Risk, Surface Water and Watercourse Management
- PSP21 Environmental Pollution and Impacts
- PSP22 Unstable Land
- PSP23 Mineral Working and Restoration
- PSP24 Mineral Safeguarding Areas
- PSP25 Hydrocarbon Extraction (inc. Fracking)

### Policy PSP20 - Number of planning permissions granted contrary to Environment Agency advice on flooding or water quality grounds

Year	No. of applications with no outstanding EA Objection or concerns*			No. of applications with an unresolved EA Objection			Total
	No. of applications refused planning permission	No. of applications withdrawn	No. of applications granted approval*	No. of applications refused planning permission	No. of applications withdrawn	No. of applications granted approval contrary to EA advice	
2013/ 2014	***	***	***	***	***	***	***
2014/ 2015	12 (8%)	8 (5%)	116(79%)	5(3%)	2(1%)	3(2%)	146
2015/ 2016	8 (8%)	3 (3%)	76 (76%)	5 (5%)	1 (1%)	3 (3%)	100
2016/ 2017	19 (16%)	5 (4%)	86 (70%)	9 (7%)	2 (2%)	1 (1%)	122
2017/ 2018	5 (6%)	6 (7%)	66 (80%)	3 (4%)	0 (0%)	3 (4%)	83
2018/ 2019	7 (9%)	5 (6%)	65 (80%)	3 (4%)	1 (1%)	0 (0%)	81
2019/ 2020	11 (15%)	24 (32%)	35 (47%)	2 (3%)	3 (4%)	0 (0%)	75
2020/ 2021	9 (9%)	4 (4%)	73 (74%)	5 (5%)	2 (2%)	5 (5%)	98

**Table 4.1**

Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

\* Includes where EA concerns were mitigated through inclusion of informatives and/or conditions in the Decision Notice

N.B. Figures are rounded

#### Commentary

The Council is concerned to ensure that water resources are not unacceptably affected by development and that development proposals within flood risk areas (defined by the Environment Agency's Flood Maps) incorporate appropriate mitigation measures. The Council consults with the Environment Agency to ensure that development proposals meet the acceptable environmental standards set out in national planning policy.

Table 4.1 shows the number of applications on which the Environment Agency provided formal comments to the Council, including this monitoring year. The table shows that in 87% of cases the EA had no outstanding objection. In a lot of these cases an initial EA objection was later withdrawn as a result of further information being submitted by the applicant. In other cases, EA concerns were mitigated through the inclusion of informatives or conditions in the Decision Notice.

### **Air Quality Monitoring**

Previously the following indicators were monitored under the AMR however these are now included in the [Air quality reports | South Gloucestershire Council \(southglos.gov.uk\)](https://www.southglos.gov.uk/air-quality-reports):

1. Annual average nitrogen dioxide levels
2. Number of monitoring sites exceeding the annual mean nitrogen dioxide objective (40 µg/m<sup>3</sup>) in South Gloucestershire
3. No. of monitoring sites exceeding the annual mean nitrogen dioxide objective (40 µg/m<sup>3</sup>) outside AQMAs

### **CO2 emissions in South Gloucestershire**

The Council already publishes these figures in the annual [Quality of Life Report](#) on its website.

**No. of appeals Allowed / Dismissed by the Council where AONB, a Conservation Area or Listed Building was a material consideration (Policies PSP2, CS9 & PSP17)**

Date	AONB		Conservation Area		Listed Building	
	Allowed	Dismissed	Allowed	Dismissed	Allowed	Dismissed
2013/2014	0	1	2	1	1	0
2014/2015	0	0	5	0	5	3
2015/2016	1	0	2	1	8	1
2016/2017	1	0	2	1	3	2
2017/2018	1	0	5	1	9	2
2018/2019	0	0	4	0	4	1
2019/2020	10	0	6	0	3	0
2020/2021	0	9	1	7	1	4

**Table 4.4**

Note: 2020/2021 onwards Policies, Sites and Places Plan policy PSP17.

Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

**Commentary**

Policies CS1/CS9 of the Core Strategy 2006-2027 and PSP2/PSP17 of the Policies, Sites and Places Plan seek to protect Conservation Areas, Listed Buildings and Areas of Outstanding Natural Beauty (AONB); they are regarded as a fundamental aspect of our natural and cultural heritage. Table 4.4 indicates that these policies are generally achieving this objective.



### Conservation Areas/Listed buildings/Scheduled Ancient Monuments on the at-risk register (Policies CS9 & PSP17)

Year	Conservation Area	Registered Parks and Gardens	Scheduled Monuments	Listed Buildings
2018/2019	2	2	4	7
2019/2020	2	2	4	8
2020/2021	2	2	4	8

**Table 4.5**

#### Commentary

The Heritage at Risk Register currently holds 16 assets which are within the Local Authority area. Monitoring will continue to assess the impact of heritage and conservation policies on the number of assets on the list.

### Number of trees given Tree Preservation Orders (TPOs)

Year	With Individual Trees	With Groups of Trees	Area Orders	Woodland Orders
2013/2014	29	6	7	1
2014/2015	25	8	9	1
2015/2016	22	11	6	3
2016/2017	33	12	7	4
2017/2018	33	6	12	0
2018/2019	14	1	3	4
2019/2020	22	3	5	2
2020/2021	21	4	3	1
<b>Cumulative</b>	199	51	52	16

**Table 4.6**

Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

#### Commentary

Tree Preservation Orders (TPOs) represent an important contribution towards both the safeguarding and facilitation of biodiversity, and to retaining the local distinctiveness of an area. The protection of groups of trees is especially important because they play a vital role for many species and make a significant contribution to maintaining high levels of biodiversity.

## Policies CS10 & PSP23 - Production of primary land won aggregates

Year	Annual production of primary land won aggregates for West of England*
2013/2014	2.66 million tonnes
2014/2015	3.19 million tonnes
2015/2016	3.62 million tonnes
2016/2017	3.72 million tonnes
2017/2018	3.59 million tonnes
2018/2019	3.38 million tonnes
2019/2020	Data not currently available
2020/2021	Data not currently available

**Table 4.7**

\*Confidentiality restrictions prevent publication of production figures for individual mineral planning authorities.

### Commentary

Further information is available in the West of England Local Aggregates Assessment (LAA), which is available on the Council's website at <http://www.southglos.gov.uk/environment-and-planning/planning/planning-policy/planning-policy-monitoring-reports/minerals-evidence/>.

### Size of landbank for crushed rock

#### Commentary

Policy CS10 of the Core Strategy relates to minerals and states that the Council will seek to maintain a landbank for crushed rock of at least 10 years. The Policies, Sites and Places Plan, which was adopted in 2017, makes provision for additional land for mineral working, to ensure that a 10 year landbank can be maintained.

Currently the calculated landbank for the West of England\*, as set out in the 2009-2018 LAA, is in excess of 39 years. Further information is available in the West of England Local Aggregates Assessment (LAA), which is available on the Council's [Local Plan evidence base page](#).

\*Commercial confidentiality restrictions prevent publication of production figures for individual mineral planning authorities.

### **Policies CS10 & PSP24 - Area of land affected by permissions for major built development in the Mineral Safeguarding Areas (MSA)**

<b>Year</b>	<b>Area of land affected</b>
<b>2018/2019</b>	0.23ha
<b>2019/2020</b>	None
<b>2020/2021</b>	1.96ha

**Table 4.8**

Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

#### **Commentary**

In the 2020/2021 monitoring year, 1.96ha of land within the Mineral Safeguarding Area was affected by new permissions for major built development.

1.13ha – Land East of Gravel Hill Road, Yate (P19/19773/F); and

0.83ha – Land West of Garston Farm, Marshfield.

This indicator monitors the Mineral Safeguarding Areas defined by the Policy PSP24 of the Policies, Sites and Places Plan. Previously, this indicator monitored the Mineral Resource Area (defined by a now superseded Local Plan) which was a different geographical area and therefore the data collected previously is not comparable.

#### **Number of planning applications granted contrary to The Coal Authority's advice\***

<b>Year</b>	<b>Applications Granted Contrary to CA Advice</b>
<b>2018/2019</b>	1
<b>2019/2020</b>	0
<b>2020/2021</b>	0

**Table 4.9**

In the monitoring year 2020/2021 no applications were granted where an objection from the coal authority was maintained. Some application did not have an objection however were granted with necessary conditions.

## 5. Managing Economic Prosperity

### April 2022 update

#### Economic Land Survey

At the time of initial publication in April 2021, information in this section is still being assessed. The Economic Land Survey has been undertaken by officers and the information is being processed and will be updated in due course.

#### Retail Surveys

From the 1 September 2020 the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 amended the Town and Country Planning (Use Classes) Order 1987 and introduced significant changes to the system for use classes. Among the changes was the introduction of three new use classes Class E – Commercial, Business and Service, Use Class F1 – Learning and non-residential institutions and Use Class F2 – Local community uses. The new 'Class E' combined the previous use classes:

- A1 Retail
- A2 Financial and Professional
- A3 Café and Restaurant
- B1 Business
- D1 Clinics, Health Centres and Creches
- D2 Leisure

The indicators we have historically monitored concerned use classes that no longer exist.

The combining of these use classes into a single use class means that the above uses are interchangeable without planning permission being required.

The continued monitoring of these indicators is therefore no longer possible, and no surveys were undertaken in 2021. The council is currently assessing how we might undertake retail surveys in future to reflect new regulations and ensure monitoring is effective.

## Introduction

South Gloucestershire has a robust, diverse and vibrant economy which has experienced high job growth rates and low unemployment. The area has many strengths including excellent road and rail connections, the successful key sectors of aerospace engineering, the MOD and the financial services industries, as well as the University of the West of England (UWE) and the large retail area at Cribbs Causeway. Major development in the past few years include the Science Park at Emersons Green, help reinforce the local economy. However, after 20 years of high growth, there is a need for a more balanced and manageable strategy for economic development, within which some growth is also steered towards other parts of the West of England sub-region.

Maintaining economic prosperity is a key priority of the Council's Sustainable Community Strategy and the Council Strategy and is reflected in the Council's Economic Development Strategy, and in the Council's partnership with the West of England Local Enterprise Partnership.

## Core Strategy Objectives

- Ensuring that South Gloucestershire plays its role in making the West of England economy one of the most prosperous, innovative and vibrant in Europe, by providing a sufficient range of employment land for existing and new businesses of all sizes.
- Providing for the key sectors of advanced engineering, including aerospace and defence; finance and business services; higher and further education; retail; environmental technology and hi-tech industries.
- Taking opportunities to provide more balanced employment across the district so that every community has access to a range of employment opportunities locally
- Ensuring provision of appropriate communication technologies, such as broadband
- Enhancing town centre vitality and viability.

Core Strategy policies in this chapter:

- CS11 Distribution of Economic Development Land
- CS12 Safeguarded Areas for Economic Development
- CS13 Non-Safeguarded Economic Development Sites
- CS14 Town Centres and Retail

On 8 November 2017 the Council adopted its Policies, Sites and Places (PSP) Plan. Policies, Sites and Places Plan policies that will feature in this chapter:

- PSP26 Enterprise Areas
- PSP27 B8 Storage and Distribution Uses
- PSP31 Town Centre Uses
- PSP33 Shopping Frontages
- PSP35 Food and Drink Uses (including drive through takeaway facilities)
- PSP36 Telecommunications Infrastructure

### Employment land available: by type (hectares) (Policy CS11)

Year	B1a	B1b	B1c	B2	B8	Mixed	Total
2013/2014	2.01	16.87	0.42	18.10	131.91	191.22	360.53
2014/2015	0.49	16.87	0.45	18.70	120.17	203.73	360.41
2015/2016	5.93	16.87	0.45	-9.01	120.78	189.71	324.73
2016/2017	9.14	16.33	0.15	0.66	182.02	110.07	318.37
2017/2018	6.30	12.36	0.05	-0.99	44.11	201.63	263.46
2018/2019	6.58	19.82	0.10	-0.49	43.72	207.20	276.93
2019/2020	6.96	22.33	0.73	-3.97	48.35	247.67	<b>322.075</b>
2020/2021	-	-	-	-	-	-	-

**Table 5.1** Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

### Commentary

Please see the text at the beginning of the chapter on page 27 which outlines why there is no data for this monitoring year.

### Total amount of additional employment floorspace available –by type (net sq.m) (Policy CS11 and CS12)

Year	B1a	B1b	B1c	B2	B8	Mixed	Total
2013/2014	-2,715	9,972	224	4,315	-25,465	20,991	7,322
2014/2015	0	0	0	1,408	20,271	-3,392	18,827
2015/2016	-5,698	0	0	13,226	-10,737	12,720	9,511
2016/2017	-2,300	0	6,845	102	166,109	4,354	175,110
2017/2018	663	0	2,930	-8,637	-4,830	206,403	196,529
2018/2019	-6,664	47,753	0	-2,372	858	25,681	65,256
2019/2020	16,656	1,980	4,411	-466	5,746	30,872	61,760

<b>2020/2021</b>	-	-	-	-	-	-	-
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**Table 5.2** Source: Strategic Planning Policy and Specialist Advice Team (South

<b>Previous use</b>	<b>2013/2014</b>	<b>2014/2015</b>	<b>2015/2016</b>	<b>2016/2017</b>	<b>2018/2019</b>	<b>2019/2020</b>	<b>2020/2021</b>
<b>B1a – Office (Ha)</b>	0.96	-	2.01	1.83	0.82	0	-
<b>B1 – Mixed (Ha)</b>	0.23	-	-	0.28		0	-
<b>B2- General Industry (Ha)</b>	-	-	-	-	2.47	0	-
<b>B8 – Storage and Distribution (Ha)</b>	-	0.39	2.21	0.11	-	0	-
<b>Mixed B (Ha)</b>	-	1.67	-	-	1.33	0	-
<b>TOTAL</b>	<b>1.19</b>	<b>2.03</b>	<b>4.22</b>	<b>2.22</b>	<b>4.62</b>	<b>0</b>	<b>-</b>

Gloucestershire Council

### **Commentary**

Please see the text at the beginning of the chapter on page 27 which outlines why there is no data for this monitoring year.

### **Losses of employment land (B use classes) within Safeguarded employment areas (net Ha) (Policy CS12)**

**Table 5.3** Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

### **Commentary**

Please see the text at the beginning of the chapter on page 27 which outlines why there is no data for this monitoring year.

### Amount of employment land lost to residential development within safeguarded areas (Policy CS12)

Year	Amount of employment land lost
2013/2014	No loss
2014/2015	No loss
2015/2016	1.29 ha
2016/2017	0.02 ha
2018/2019	No loss
2019/2020	No loss
2020/2021	-

**Table 5.4** Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

#### Commentary

Please see the text at the beginning of the chapter on page 27 which outlines why there is no data for this monitoring year.

### Losses of employment land (B uses only) to residential development outside of the safeguarded areas (Policy CS13)

Previous use class	2014/15		2015/16		2016/17		2018/19		2019/20		2020/21	
	No. of homes created	Loss of area (net Ha)	No. of homes created	Loss of area (net Ha)	No. of homes created	Loss of area (net Ha)	No. of homes created	Loss of area (net Ha)	No. of homes created	Loss of area (net Ha)	No. of homes created	Loss of area (net Ha)
<b>B1a</b>	8	0.08	28	0.89	7	0.46	15	0.36	0	0	-	-
<b>B1b</b>	1	0.05	-	-	-	-	-	-	0	0	-	-
<b>B1c</b>	-	-	-	-	3	0.40	10	0.3	0	0	-	-
<b>B2</b>	6	0.08	11	0.64	1	0.09	0	0	0	0	-	-
<b>B8</b>	2	0.09	13	0.39	4	0.09	0	0	0	0	-	-
<b>Total</b>	17	0.29	52	1.92	15	1.04	25	0.66	0	0	-	-

**Table 5.5** Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

#### Commentary

Please see the text at the beginning of the chapter on page 27 which outlines why there is no data for this monitoring year.



**The number of m<sup>2</sup> approved for B8 uses outside of the Enterprise Areas and Safeguarded Employment areas (Policy PSP26 and CS12)**

During 2020/21 outside of the allocated CS12 sites, one application for B8 uses were approved, totalling 1300.00sqm in size. This P20/08325/F

**Commentary**

The purpose of this indicator is to assess the implementation of Policy PSP27, which aims to recreate flexibility for businesses requiring storage and distribution facilities (B8 uses) of all sizes, whilst ensuring that the highway network and local environment is protected from adverse impacts. As such, large units in excess of 3000m<sup>2</sup> are encouraged to locate in the well-established areas of Severnside, Cribbs Causeway and Emerson's Green (excluding the science park), where there is capacity and associated good transport links.

**Number of permissions granted for new telecommunications infrastructure (Policy PSP36)**

<b>Date</b>	<b>Applications approved for telecommunication infrastructure</b>
<b>2018/2019</b>	0
<b>2019/2020</b>	2
<b>2020/2021</b>	0

**Table 5.17** Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

**Commentary**

There have been no approved applications for telecommunications infrastructure in the monitoring year 2020/2021. The AMR will continue to monitor PSP36 Telecommunications Infrastructure to assess the effectiveness of the policy.

## 6. Providing Housing and Community Infrastructure

Creating mixed and balanced communities is one of the government's aims for sustainable development and a core aim of the Council. This means providing sufficient good quality housing of the right types and mix, in the right places, which will be attractive to, and meet the identified needs of, different groups in society. The types of housing include market, social rented, mixed tenure, special needs and housing for groups like Gypsies and Travellers.

Access to community facilities is fundamental to creating sustainable communities. Similarly, opportunities to participate in the cultural life of communities can contribute greatly to the health and wellbeing of individuals and communities as a whole. New development will clearly put additional pressure on existing facilities, but can also create opportunities to bring about new or enhanced facilities and support participation in existing or new activities, thereby improving social cohesion.

### Core Strategy Objectives

- Providing a range of housing to meet the needs of the whole community
- Providing decent and affordable housing in accessible locations and for local needs in rural areas
- Improving health and well-being by provision and access to a range of social, cultural, community, recreational facilities and green space in step with development whilst realising opportunities to redress any deficit
- Ensuring that environments for play are delivered as an integral part of the design of sustainable communities

Core Strategy policies in this chapter:

- CS15 Distribution of Housing
- CS16 Housing Density
- CS17 Housing Diversity
- CS18 Affordable Housing
- CS19 Rural Exception Sites
- CS20 Extra Care Housing
- CS21 Gypsy and Traveller Accommodation
- CS22 Travelling Showpeople
- CS23 Community Infrastructure and Cultural Activity
- CS24 Green Infrastructure, Sport and Recreation Standards

On 8 November 2017 the Council adopted its Policies, Sites and Places (PSP) Plan. Policies, Sites and Places Plan policies that will feature in this chapter:

- PSP37 Internal Space and Accessibility Standards for Affordable Dwellings
- PSP41 Rural Workers Dwellings
- PSP42 Self-Build and Custom Housebuilding
- PSP43 Private Amenity Space Standards
- PSP44 Open Space, Sport and Recreation

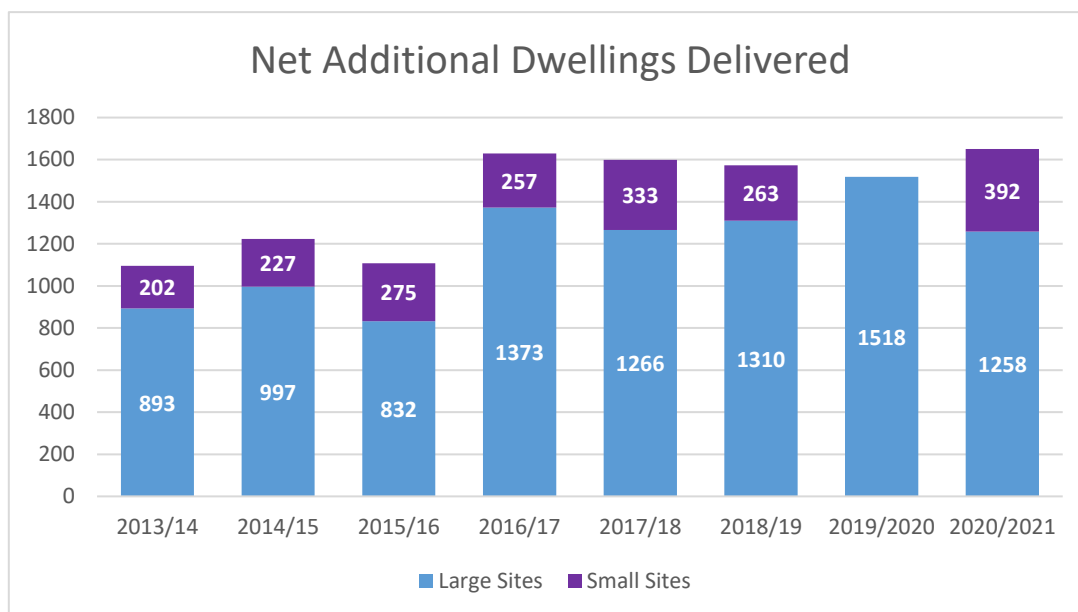
### **Plan Period Housing Targets & Supply**

Paragraph 73 of the National Planning Policy Framework (NPPF, February 2019), requires authorities to identify and update annually a supply of deliverable sites sufficient to provide five years' worth of housing against their housing requirements. Housing requirements are set out in adopted strategic policies, or against their local housing need [using the standard method for calculating local housing need], where the strategic policies are more than five years old.

As the Council's Core Strategy (2013) is now more than five years old in accordance with the NPPF the Council has identified and updated a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing supply against its local housing need (LHN). This need is calculated using the standard method for calculating local housing need.

Further details on the five-year land supply, including completions and future supply are set out below and in **Appendix A: Housing Trajectory**. Please refer to previous versions of the AMR for past land supply calculations.

**Net additional dwellings – in previous years and 2020/2021.**



**Table 6.1**

**Analysis of completions in current monitoring year (2020/2021)**

	<b>South Glos Total</b>
<b>New build completions</b>	1,355 (82%)
<b>Demolitions</b>	18 (1%)
<b>Change of use (net gain)</b>	271 (16%)
<b>Conversions (net gain)</b>	33 (2%)
<b>Other gains</b>	0 (0%)
<b>Net additional homes</b>	<b>1,650</b>

**Table 6.2**

Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

**Number of dwellings lost through demolition for further residential development and the subsequent number of dwellings gained/lost (net)**

<b>Date</b>	<b>Number of Homes Lost Through Demolition</b>	<b>Number of Homes Lost Through Conversion</b>	<b>Total New Homes Completed (Gross Completions)</b>	<b>Total Gain/Loss (Net Completions)</b>
<b>2013/2014</b>	14	14	1,123	1,095
<b>2014/2015</b>	70	31	1,325	1,224
<b>2015/2016</b>	11	32	1,150	1,107
<b>2016/2017</b>	44	18	1,692	1,630
<b>2017/2018</b>	27	38	1,664	1,599
<b>2018/2019</b>	30	16	1,619	1,573
<b>2019/2020</b>	0	0	1,518	1,518
<b>2020/2021</b>	18	12	1,355	1,650

**Table 6.3**

Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

**Number of dwellings by policy area (CS15)\***

<b>Policy Area</b>	<b>North Fringe</b>	<b>East Fringe</b>	<b>Yate &amp; Chipping Sodbury</b>	<b>Thornbury</b>	<b>Elsewhere</b>
<b>Total Number of Completions</b>	384 (23%)	441 (27%)	272 (16%)	213 (13%)	340 (21%)

**Table 6.4**

Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

### **Commentary**

As illustrated by Table 6.1, in the year to April 2021, 1,650 homes (net) were completed in South Gloucestershire.

Table 6.2 shows that the majority (82%) of new developments were 'new build' developments i.e. not created through demolishing or sub-dividing/converting existing dwellings.

50% of completions were within the established urban areas of the East (27%) and North (23%) fringes of Bristol and the towns of Yate/Chipping Sodbury (16%) and Thornbury (13%), thereby demonstrating housing delivery in accordance with the spatial strategy set out in the Council's adopted Core Strategy.

### **Net additional dwellings in future years; and Managed Housing Delivery**

As the Council's Core Strategy is now more than five years old, in accordance with the NPPF, the Council has identified and updated a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing supply against its local housing need (LHN) defined using the new standard method for calculating local housing need.

NPPF Paragraph 73 requires that the supply of specific deliverable sites should also include a buffer. The Council's 2021 Housing Delivery Test is 133%. As South Gloucestershire has delivered at least 85% of its local housing need, in accordance with paragraph 73 and footnote 39 of the NPPF, a 5% buffer to ensure choice and competition in the market for land is appropriate.

On 23rd March 2022, Office for National Statistics (ONS) published the 2021 median house price to median gross annual workplace-based earnings ratios - used in step 2 of the standard method for calculating local housing need as set out in paragraph 2a-004 of the PPG.

The application of the new ratio, along with using an updated 10-year period in the household projections (2022-32) means that the local housing need for South Gloucestershire is now 1,388 dwellings per annum (rather than 1,353 dwellings per annum as set out in 5 Year Housing Land Supply table published in December 2021).

Based on the housing supply available as identified in the December 2021 Housing Trajectory, the Council's Housing Land Supply Figure is revised from 6.14 years to 5.99 years. This replaces the previous land supply published in December 2021.

### Five-year land supply calculation based on CLG 2014-based Household Projections

	<b>Numerator (identified supply)</b>	<b>Dwellings</b>
A)	Total identified deliverable supply 2021/22 to 2025/26	8,724
	<b>Denominator (housing need)</b>	
B)	Standard method for calculating Local Housing Need based on ONS 2014-based HHPs and 2019 affordability ratios)	1,388
C)	5% buffer to ensure choice and competition in the market for land (NPPF para.73 a) (B x 0.05)	69.4
D)	B+C	1,457.4
<b>E)</b>	<b>Five-year land supply (A/D)</b>	<b>5.99 Years</b>

**Table 6.5**

The Council has made every effort to ensure that at the time of preparing the AMR its forecasts of housing land supply are robust and incorporate up to date information. This includes; recent survey data on build progress of large housing sites and feedback/contact between the Council's Development Management, Major Sites Teams and landowners / developers on the likely timescales for the development of their sites to ensure the Council is able to show clear evidence that housing completions will begin on site within five years. To achieve this, housing supply has been assessed based on the 2019 NPPF definition of deliverable. Further information on the approach is set out at **Appendix A: Housing Trajectory**.



**New and converted dwellings on previously developed land**

Year	Number of homes on Previously Developed Land (gross)	Percentage of homes on Previously Developed Land
2013/2014	445	40%
2014/2015	686	52%
2015/2016	630	55%
2016/2017	786	46%
2017/2018	566	35%
2018/2019	687	44%
2019/2020	555	37%
2020/2021	343	21%

**Table 6.6**

Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

**Commentary**

In the year to April 2021 21% of home completions were on previously developed land (PDL). In order to meet the target for the number of new homes that need to be provided in South Gloucestershire, a higher percentage of the strategic housing sites are currently being delivered from greenfield sites than in previous years. The council is continuing to ensure that as much use as possible is made of previously developed "brownfield" land to meet housing needs going forward while balancing this with other sustainability considerations such as retaining local employment land opportunities. Further details on the measures being taken are set out in the consultation on urban living opportunities as part of the council's new Local Plan which is under preparation.

Note: On 9 June 2010 the Government revised the definition of previously developed land (PDL) to exclude private residential gardens. The figures in table 6.6 only apply the revised definition to planning permissions resulting in new homes being built on former garden land granted after 9 June 2010.

### Policy CS16: Housing Density Percentage of new homes (fully completed Large Sites) completed on

- i) Less than 30 dwellings per ha;
- ii) Between 30 and 50 dwellings per ha; and
- iii) Above 50 dwellings per ha.

	2013/ 2014	2014/ 2015	2015/ 2016	2016/ 2017	2017/ 2018	2018/ 2019	2019/ 2020	2020/ 2021
<b>i) Less than 30 dwellings per ha</b>	8%	11%	0%	40%	-	25%	4%	12%
<b>ii) Between 30 and 50 dwellings per ha</b>	25%	33%	64%	29%	-	10%	96%	6%
<b>iii) Above 50 dwellings per ha</b>	67%	56%	36%	31%	-	65%		82%

**Table 6.7**

Source: Strategic Planning Policy and Specialist Advice (South Gloucestershire Council)

\*numbers are for fully complete sites only

#### Commentary

The Council seeks to avoid developments which make inefficient use of land in the context of the character and amenity of the local area. In the year to April 2021 the vast majority (82%) of homes (on fully completed large housing sites) were delivered at over 50dph.

The achievement of housing densities will continue to be monitored, considering the implementation of Core Strategy policy CS16.

**Policy CS17: Variety and mix of housing proportions of 1, 2, 3 and 4 bed houses and flats built on fully complete sites**

	2014/2015		2015/2016		2016/2017		2017/2018		2018/2019		2019/2020		2020/2021	
	Hse	Flat	Hse	Flat	Hse	Flat	Hse	Flat	Hse	Flat	Hse	Flat	Hse	Flat
<b>1 bed</b>	11	198	24	121	25	220	-	-	20	246	6	21	63	243
	1%	15%	2%	11%	1%	13%	-	-	2%	20%	7%	25%	3%	12%
<b>2 bed</b>	149	292	233	160	262	251	-	-	190	278	11	0	303	318
	11%	22%	20%	14%	16%	15%	-	-	16%	23%	13%	0%	15%	16%
<b>3 bed</b>	347	5	378	0	532	2	-	-	239	7	20	0	586	9
	26%	(<1%)	33%	0%	31%	0%	-	-	20%	1%	24%	0%	29%	0%
<b>4+ bed</b>	323	0	234	0	400	0	-	-	236	1	26	0	472	0
	25%	0%	20%	0%	24%	0%	-	-	19%	0%	31%	0%	24%	0%
<b>Totals</b>	<b>830</b>	<b>495</b>	<b>869</b>	<b>281</b>	<b>1219</b>	<b>473</b>	-	-	<b>687</b>	<b>532</b>	<b>63</b>	<b>21</b>	<b>1424</b>	<b>570</b>
	<b>63%</b>	<b>37%</b>	<b>75%</b>	<b>25%</b>	<b>72%</b>	<b>28%</b>	-	-	<b>56%</b>	<b>44%</b>	<b>75%</b>	<b>25%</b>	<b>71%</b>	<b>29%</b>
	<b>1,325</b>		<b>1,150</b>		<b>1,692</b>		<b>-</b>		<b>1,217</b>		<b>63</b>		<b>1,994</b>	

**Table 6.8**

Source: Strategic Planning Policy and Specialist Advice (South Gloucestershire Council)

**\*the information shown for bedroom numbers is for fully complete sites only**

Note: All completion figures are gross. Applications where no bedroom number have been provided in plans have not been counted in the figures. Bedroom numbers are only counted once all dwellings on site are complete.

### Analysis by policy area – completions 2018 to 2019 (Policy CS15 and CS17)

Policy Area	1 bed house	2 bed house	3 bed house	4+ bed house	1 bed flat	2 bed flat	3 bed flat	4+ bed flat	Completions (gross)
North Fringe of Bristol	12	58	167	107	62	118	0	0	524
East Fringe of Bristol	11	118	175	86	64	121	8	0	583
Yate/ Chipping Sodbury	25	17	55	55	60	20	0	0	232
Thornbury	0	21	43	28	31	38	0	0	161
Elsewhere	15	89	146	195	26	22	1	0	494

**Table 6.9**

Source: Strategic Planning Policy and Specialist Advice (South Gloucestershire Council)

**\*the information shown for bedroom numbers is for fully complete sites only**

Note: All completion figures are gross. Applications where no bedroom number have been provided in plans have not been counted in the figures. Bedroom numbers are only counted once all dwellings on site are complete.

#### Commentary

Table 6.8 illustrates the variety and mix of housing that has been built in the district in recent years. It shows that in the year to April 2021 29% of all residential development was comprised of flats (570 homes).

Table 6.8 also illustrates that 53% of houses built in 2020/2021 had 3-4 bedrooms illustrating a welcome shift to diversify the local housing market stock.

## Brownfield Register

The council's 2021 Brownfield Land Register is now published and available to view on our [website](#).

## Long Term Vacant Housing Stock

Year	Total Stock on Valuation List	Long Term Vacant	% Long Term Vacant
2014	112,591	446	0.4
2015	113,857	581	0.5
2016	114,810	337	0.3
2017	115,824*	293	0.3
2018	117,368	287	0.24
2019	118,742	282	0.24
2020	120,913	291	0.24
2021	122,228	408	0.33

**Table 6.10**

Source: Council Tax (South Gloucestershire Council)

\*Please note a correction of an error in 2017 AMR which incorrectly stated 115,284

### Commentary

In December 2021, 408 domestic properties had been vacant for more than one year, this is 0.09% higher than the previous year and equates to only 0.33% of the total housing stock (according to Council Tax valuation records). The rise in the number of empty properties is mainly due to the fact officers were unable to make many visits during the pandemic and landlords were finding it harder to let properties. Table 6.10 illustrates that the amount of long-term vacant housing in the district has consistently remained at a very low level since 2013.

**Policy CS18: Gross affordable housing completions**

Year	Number of completions
2013/2014	298
2014/2015	326
2015/2016	263
2016/2017	360
2017/2018	368
2018/2019	624
2019/2020	565
2020/2021	403

Table 6.11

**Policy CS18: 2018/19 Affordable Housing Completions - By Policy Area**

Policy Area	Affordable Housing completions
East Fringe of Bristol	131 (32.5%)
North Fringe of Bristol	111 (27.5%)
Yate/Chipping Sodbury	90 (22.3%)
Thornbury	38 (9.4%)
Rural Areas	33 (8.2%)
<b>Total</b>	<b>403</b>

Table 6.12

Source: Strategic Planning Policy and Specialist Advice Team / Housing Enabling Team (South Gloucestershire Council)

**Commentary- CS18 Affordable Housing Delivery**

In the year to April 2021, 403 affordable homes were delivered in South Gloucestershire, all of which were new build and 60% of which were in the urban areas of the North and East Fringes of Bristol.

Of the 403 homes, 305 were for social rent, 8 were for affordable rent, 89 are shared ownership and 1 was for affordable home ownership.

Policy CS18 of the Core Strategy seeks to achieve 35% on site Affordable Housing on all new housing developments falling within the stated site size thresholds.

Reporting the proportion of Affordable Housing completions in any single year is often misleading; sites can take several years to complete and the Affordable Housing element is often delivered within varying phases of development. As such, a more accurate representation of how effective policies are at securing Affordable Housing provision is derived from analysing completion data.

### **Policy CS19- Rural Exception Schemes**

No rural exception schemes were delivered in the 2020/21 monitoring year, completions in 2020-21 but work started on site for a 50 unit ECH scheme in Lyde Green which is due to complete in 2021-22.

### **Policy CS22: Gypsy and Traveller Net additional pitches**

<b>Year</b>	<b>Additional Gypsy and Traveller Pitches delivered (Net)</b>
<b>2013/2014</b>	5
<b>2014/2015</b>	7
<b>2015/2016</b>	5
<b>2016/2017</b>	0
<b>2017/2018</b>	6
<b>2018/2019</b>	4
<b>2019/2020</b>	0
<b>2020/2021</b>	0

**Table 6.13**

Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

### **Commentary**

In the 2020/2021 monitoring year, there were no additional Gypsy/Traveller pitches delivered in South Gloucestershire.

**Policy CS20: Number of Extra Care housing units completed**

Year	Number of Extra Care housing units completed
2010/2011	123
2011/2012	40
2012/2013	Nil
2013/2014	Nil
2014/2015	Nil
2015/2016	60
2016/2017	Nil
2017/2018	Nil
2018/2019	261
2019/2020	Nil
2020/2021	Nil

**Table 6.14**

Source: Strategic Planning Policy and Specialist Advice Team (South Gloucestershire Council)

**Commentary**

Extra Care is an alternative accommodation choice for older people and those with special needs. It promotes independent living in self-contained accommodation, where people are able to readily access high quality, flexible support and care services on site to suit their needs.

In the year to April 2020/21, no Extra Care units were completed however a 50 unit scheme started on site in Lyde Green which is due to complete in 2021-22

Policy CS20 aims to ensure that Extra Care housing schemes are located with good access to local facilities and services, are proportionate in scale to the locality and provide ancillary facilities that complement locally available amenities.

**Number of applicants on Self/Custom Build register**

The [Self-build and custom housebuilding webpage](#) has information regarding the Self-build and custom housebuilding register.



## Community Infrastructure Levy (CIL)

Regulation 62 of the Community Infrastructure Levy Regulations (2010) requires a Charging Authority to prepare and publish a report annually of CIL receipts and spending. The Infrastructure Funding Statement which contains information on Community Infrastructure Levy can be found here:

<https://beta.southglos.gov.uk/community-infrastructure-levy-cil/>

Further information regarding the South Gloucestershire Council Community Infrastructure Levy can be found here. If you would like to contact us regarding CIL policy email [CILTeam@southglos.gov.uk](mailto:CILTeam@southglos.gov.uk). If you would like to contact us regarding CIL funds and spending email [S106@southglos.gov.uk](mailto:S106@southglos.gov.uk).

## Policy CS24: Amount of publicly accessible Green Infrastructure (GI) per 1,000 population

	Quantity per 1,000 residents (previous)	Quantity per 1,000 residents (2021)	Change	Policy CS24 Standard
<b>Informal recreational greenspace</b>	1.411ha	1.40ha	-0.01ha	1.4ha
<b>Natural/Semi-Natural greenspace</b>	4.733ha	4.685ha	-0.048ha	1.5ha
<b>Allotments</b>	0.141ha	0.139ha	-0.002ha	0.2ha
<b>Outdoor sports</b>	1.311ha	1.195ha	-0.116ha	1.6ha
<b>Children's play</b>	0.065ha	0.064ha	-0.001ha	0.25ha

**Table 6.16**

Source: Community Infrastructure Officer (South Gloucestershire Council)

### Informal recreational greenspace

Informal recreational greenspace is not evenly distributed throughout South Gloucestershire and there are differences in provision levels between the urban analysis areas and the rural/other area.

### Natural/Semi-Natural greenspace

Although the current supply level across South Gloucestershire is significantly above the recommended provision standard, semi-natural greenspace is not evenly distributed across the authority's area. While the level of supply is high within South Gloucestershire's rural areas, it is significantly lower within the district's urban areas.

### Allotments

The current supply of allotment plots is less than the recommended standard. The standard reflects the large numbers on waiting lists due to the increased demand for allotments. Additional provision has been created through the sub division of plots to create half plot sizes (250sqm full / 125sqm half plot).

### Outdoor sports

The current supply of outdoor sport facilities is below the recommended provision standard of 1.6ha per 1000 population. Please note this AMR includes pavilions.

### Children's play

The current supply of equipped play space is below the recommended standard across the district. The provision standard needs to be carefully applied as it is desirable to ensure a range of provision to cater for different age groups.

N.B. Table 6.13 presents a district wide analysis at a snapshot in time of the provision available and does not therefore preclude the need to undertake a more detailed analysis of local provision levels in support of any development proposals.

### Appeals Allowed /Dismissed where Policy PSP37 was a material consideration

Date	PSP37	
	Allowed	Dismissed
2018/2019	0	2
2019/2020	0	0
2020/2021	0	0

**Table 6.17**

### Commentary

PSP37 Internal Space and Accessibility Standards for Affordable Dwellings. Monitoring will continue to ensure the effectiveness of the policy.

### Policy PSP41, Number of planning applications for where rural workers dwellings approved

Date	Applications approved for rural workers dwellings
2018/2019	5
2019/2020	2
2020/2021	3

**Table 6.18**

#### Commentary

PSP41 Rural Workers Dwellings. In the monitoring year 2020/21, 3 applications have been approved for rural workers dwellings. The AMR will continue to monitor the effectiveness of the policy.

### Appeals Allowed / Dismissed where Policy PSP43 was a material consideration

Date	PSP43	
	Allowed	Dismissed
2018/2019	5	0
2019/2020	5	0
2020/2021	1	13

**Table 6.19**

#### Commentary

PSP43 Private Amenity Space Standards. In the monitoring year 2019/2020 1 appeal has been allowed where PSP43 was a material consideration. Monitoring will continue to ensure the effectiveness of the policy however, the limited information above shows that the policy works effectively.

**Policy CS24 & PSP44, Loss/Gain of space used for sport and recreation uses.**

	<b>2018/2019 (Ha)</b>	<b>2019/2020 (Ha)</b>	<b>2020/2021 (Ha)</b>
All weather, courts & Greens	30.54	29.24	29.20
Sports Pitches	347.34	341.32	340.59
Children & Young People	17.84	18.24	18.20
Allotments	39.91	39.74	39.74
Natural/Semi Nat	1335.17	1337.41	1335.67
Informal Rec (IROS)	395.81	398.82	398.36
<b>Total</b>	<b>2,166.61</b>	<b>2,164.77</b>	<b>2161.76</b>

**Table 6.20**

**Commentary**

The table above shows the individual hectares for all categories covering sport and recreational uses as well as the total.

## 7. Monitoring the Joint Waste Core Strategy (JWCS)

The Joint Waste Core Strategy sets out the strategic spatial planning policy for the provision of waste management infrastructure across the West of England sub-region and is underpinned by an understanding of the local distinctiveness of the sub-region.

### JWCS Strategic Objectives

- To move the management of waste up the waste hierarchy by increasing waste minimisation, recycling and composting then recovering further value from any remaining waste, and only looking to landfill for the disposal of pre-treated waste.
- To help enable communities and businesses in the West of England to take responsibility for the waste they generate.
- To continue to promote public awareness towards a shared commitment to waste prevention and reuse.
- To deliver the timely provision of an integrated network of waste management facilities to meet requirements in the West of England.
- To contribute to reducing and adapting to the impacts of climate change by driving waste up the hierarchy and encouraging the provision of waste management facilities at appropriate locations.
- To encourage sustainable construction and waste minimisation in new development.
- To ensure that waste management facilities do not harm the environment or endanger human health and where possible provide benefits.
- To locate waste development in accordance with land use priorities, giving preference to previously developed land and/or urban areas.

### Relevant Joint Waste Core Strategy Policies

- Policy 1 – Waste Prevention;
- Policy 2 – Non-residual waste treatment facilities
- Policy 3 – Open windrow composting;
- Policy 4 – Recycling, storage and transfer of construction, demolition and excavation waste at mineral sites;
- Policy 5 – Residual waste treatment facilities – locations;
- Policy 6 – Residual waste treatment facilities – operational expectations;

- Policy 7 – Consideration of residual waste treatment proposals at sites not allocated in the JWCS;
- Policy 8 – Landfill, landraise, engineering or other operations – Principles;
- Policy 9 – Landfilling, landraising and engineering or other operations – Details;
- Policy 10 –Waste water treatment;
- Policy 11 – Planning Designations;
- Policy 12 – General Considerations; and
- Policy 13 – Safeguarding operational and allocated sites for waste management facilities.

### **JWCS Strategic Objectives**

- To move the management of waste up the waste hierarchy by increasing waste minimisation, recycling and composting then recovering further value from any remaining waste, and only looking to landfill for the disposal of pre- treated waste.
- To help enable communities and businesses in the West of England to take responsibility for the waste they generate.
- To continue to promote public awareness towards a shared commitment to waste prevention and reuse.
- To deliver the timely provision of an integrated network of waste management facilities to meet requirements in the West of England.
- To contribute to reducing and adapting to the impacts of climate change by driving waste up the hierarchy and encouraging the provision of waste management facilities at appropriate locations.
- To encourage sustainable construction and waste minimisation in new development.
- To ensure that waste management facilities do not harm the environment or endanger human health and where possible provide benefits.
- To locate waste development in accordance with land use priorities, giving preference to previously developed land and/or urban areas.

# Monitoring the Joint Waste Core Strategy

The tables below document the monitoring for the West of England Joint Waste Core Strategy (JWCS) for 2020/21 (1/4/20 - 31/3/21).

The JWCS sets out the strategic spatial planning policy for the provision of waste management infrastructure across the West of England sub-region.

## JW1: Recycling/ Composting

Unitary Authority	Indicative capacity requirement at 2026 as set out in JWCS (tonnes per annum)	Capacity of applications approved during 2020/21 (tonnes per annum)	Capacity lost during 2020/21 (tonnes per annum)	Capacity operational at 31/03/2021 (tonnes per annum)	Capacity permitted but not operational at 31/03/2021 (tonnes per annum)
Bath & North East Somerset		0	0	117,300	0
Bristol City		73,000	0	638,780	163,000
North Somerset		0	0	268,200	0
South Gloucestershire		0	34,000	419,220	2,500
<b>(West of England)</b>	<b>858,000<sup>1</sup></b>	<b>73,000</b>	<b>34,000</b>	<b>1,443,500</b>	<b>165,500</b>

**Table 7.1**

<sup>1</sup> municipal, commercial & industrial waste

Source: The four West of England authorities

### Commentary

There have been changes from the 2019/20 situation in Bristol and South Gloucestershire:

In relation to operational recycling capacity South Gloucestershire saw: 250,000 tonnes per annum (tpa) gained from the identification during 2020/21 of aggregate recycling operations at Bristol & Avon Waste Management's Severn Road site in Hallen; and 34,000 tpa lost due to a site at Severn View Industrial Estate in Hallen being identified as no longer in use as a waste transfer station.

This increased the West of England's operational recycling capacity by 216,000 tpa, from 1,227,500 in 2019/20 to 1,443,500 tpa in 2020/21.

Two schemes were granted planning permission in Bristol in 2020/21 which increased non-operational recycling capacity:

- a metals recovery centre in Avonmouth which will provide 70,000 tpa capacity; and
- a Household Waste and Recycling Centre in South Bristol which will provide 3,000 tpa capacity.

This increased the West of England's permitted but not operational recycling capacity by 73,000 tonnes, from 92,500 in 2019/20 to 165,500 tpa in 2020/21.

There were no changes from the 2019/20 situation in Bath and North East Somerset or North Somerset.

NB: The JWCS sets out an indicative requirement for recycling and composting of municipal, commercial and industrial waste. However the capacity tonnages of operational and permitted sites in the monitoring table may include construction, demolition and excavation waste, as many recycling facilities, particularly transfer stations, recycle this waste as well.



**JW2: Recovery**

Zone & indicative capacity requirement at 2026 as set out in JWCS Policy 5 (tonnes per annum)	Capacity of applications approved during 2020/21 (tonnes per annum)	Capacity lost during 2020/21 (tonnes per annum)	Capacity operational at 31/03/2021 (tonnes per annum)	Capacity permitted but not operational at 31/03/2021 (tonnes per annum)	Electricity and/or heat output from operational recovery facility (megawatts)
A~390,000tpa	0	0	903,500	70,000	35.625
B~100,000 tpa	0	0	0	0	0
C~150,000 tpa	0	0	0	125,000	0
D~60,000tpa	0	0	0	0	0
E~100,000tpa	0	0	15,000	0	1.1
West of England = 800,000tpa	0	0	<b>918,500</b>	<b>195,000</b>	36.725

**Table 7.2**

Source: The four West of England authorities

**Commentary**

There have been changes from the 2019/20 situation in Bristol and South Gloucestershire affecting Zone A:

1. Operational recovery capacity increased overall during 2020/21 due to:
  - a. 350,000 tpa being gained from Viridor's Avonmouth Resource Recovery Centre becoming operational. This scheme can receive up to 350,000 tpa of residual waste for incineration by its Energy from Waste facility;
  - b. 40,000 tpa being gained from the identification during 2020/21 of OCO's operations on its Severn View Industrial Estate site in Hallen. OCO produce aggregate from a variety of waste input streams including residual ash from local Energy from Waste facilities; and
  - c. 32,000 tpa being lost due to the capacity for an advanced thermal processing plant in Avonmouth being removed from the 2020/21 figures. This scheme, which was granted permission in 2005/06, had been mistakenly recorded as complete in 2015/16 and operational since 2016/17. The scheme had not been built and the permission expired in 2010/11.

This increased the West of England's operational recovery capacity by 358,000 tpa, from 560,500 in 2019/20 to 918,500 tpa in 2020/21.

2. Non-operational permitted recovery capacity decreased during 2020/21. This reflected:
  - a. 350,000 tpa from the recovery element of Viridor's Avonmouth Resource Recovery Centre becoming operational in 2020/21;
  - b. 50,000 tpa being lost from a planning permission which expired during 2020/21. This was for a development proposal in Avonmouth to treat and recover liquid waste which was approved in 2017/18 but not implemented; and
  - c. 50,000 tpa being lost from an anaerobic digestion scheme in Hallen approved in 2012. It was identified during 2020/21 as no longer being able to be built out as the site was now in use by Bristol & Avon Waste Management's aggregate recycling operations.

This decreased the West of England's permitted but not operational recovery capacity by 450,000 tpa, from 645,000 in 2019/20 to 195,000 tpa in 2020/21.

3. The amount of energy produced from operational recovery facilities increased during 2020/21. This reflected Viridor's Avonmouth Resource Recovery Centre becoming operational. Its Energy from Waste incinerator is able to produce approximately 30 megawatts (MW) of electrical energy, enough to power 42,000 homes.

This increased the West of England's capacity of energy output from operational recovery facilities from 6.725 MW in 2019/20 to 36.725 MW in 2020/21.

There were no changes from the 2019/20 situation in Bath and North East Somerset or North Somerset.

**JW3: Landfill****Hazardous/ non-hazardous Landfill**

Unitary Authority	Site Name	Capacity of applications approved during 2020/21 (tonnes per annum)	Landfill capacity which became unavailable during 2020/21 (tonnes per annum)	Landfill operational at 31/03/2021 (tonnes per annum)	Landfill permitted but not started at 31/03/2021 (tonnes per annum)
Bath & North East Somerset	N/A	0	0	0	0
Bristol City	N/A	0	0	0	0
North Somerset	N/A	0	0	0	0
South Gloucestershire	Shortwood Landfill Site	0	0	2,000,000 / 200,000 tpa 2007-2023	0
West of England		0	0	2,000,000 / 200,000 tpa	0

**Table 7.3**

Source: The four West of England authorities

**Commentary**

There were no changes from the 2019/20 situation in the West of England.

**Inert Landfill**

Unitary Authority	Site Name	Capacity of applications approved during 2020/21 (tonnes per annum)	Landfill capacity which became unavailable during 2020/21 (tonnes per annum)	Landfill operational at 31/03/2021 (tonnes per annum)	Landfill permitted but not started at 31/03/2021 (tonnes per annum)
Bath & North East Somerset	N/A	0	0	0	0
Bristol City	N/A	0	0	0	0
North Somerset	Lulsgate Quarry, Felton	0	0	Unspecified quantity of restoration material and finishing top soils to be imported to allow for restoration of quarry to Nov 2021	0
	Durnford Quarry	0	0	Approx 382,500 tonnes per annum for 20 years (2012-2032)	0
South Gloucestershire	Shortwood Landfill Site	0	0	250,000 / 20,000 per annum assumed to be for 12 years	0
South Gloucestershire	Berwick Farm Landfill Site	0	0	73,000 / 36,500 per annum for 2 years	0
South Gloucestershire	Beech Hill Farm, Westerleigh	0	0	0	45,000 / 2 years
West of England		0	0		

**Table 7.4**

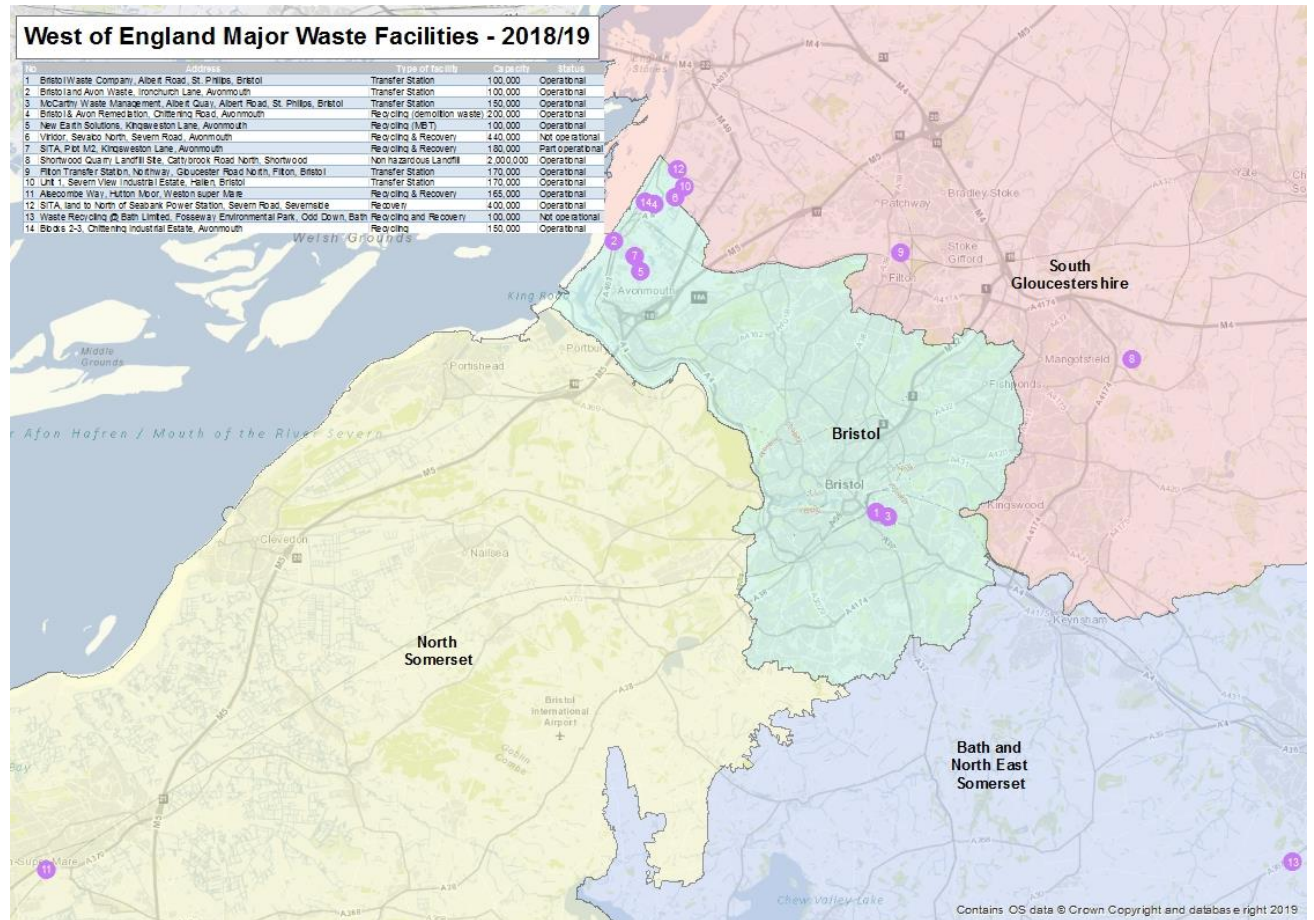
Source: The four West of England authorities

**Commentary**

There were no changes from the 2019/20 situation in the West of England.

**Map of Major waste facilities**

(Shows facilities of 100,000tpa capacity or more)



**Amount of municipal waste (Local Authority (South Gloucestershire Council) Collected Waste) arising, and managed by management type**

Year	Landfill (%)	Incineration with EfW (%)	Incineration without EfW (%)	Recycled / Composted (%)	Other (%)	Total waste arising (%)
<b>2014/2015</b>	18,501.66 (15%)	41,462.88 (33%)	271.39 (0%)	62,591.19 (50%)	3,192.65 (2%)	<b>126,020</b> <b>(100%)</b>
<b>2015/2016</b>	15,647.46 (12%)	44,331.96 (35%)	597.77 (1%)	62,270.23 (50%)	2,319.78 (2%)	<b>125,167</b> <b>(100%)</b>
<b>2016/2017</b>	14,825 (12%)	38,811 (31%)	1,200 (1%)	62,678 (51%)	6,012 (5%)	<b>123,547</b> <b>(100%)</b>
<b>2017/2018</b>	13,917 (12%)	35,094 (29%)	23 (0%)	63,329 (53%)	7,154 (6%)	<b>119,516</b> <b>(100%)</b>
<b>2018/2019</b>	12,148 (10%)	31,188 (26%)	0 (0%)	69,902 (59%)	5,171 (4%)	<b>118,409</b> <b>(100%)</b>
<b>2019/2020</b>	14,338 (12%)	28,181 (23%)	0 (0%)	72,228 (60%)	5,341 (4%)	<b>120,088</b> <b>(100%)</b>
<b>2020/2021</b>	7,849 (6%)	43,811 (33%)	0 (0%)	78,149 (60%)	1,150 (1%)	<b>130,958</b> <b>(100%)</b>

**Table 7.5**

Source: DEFRA

N.B. percentages may not add up to 100 due to rounding

**Commentary**

In 2020/21, 130,958 tonnes\* of municipal waste was managed in South Gloucestershire, which is a 9% increase when compared to the previous year, and likely to be caused by Covid and people's changing habits including an increase in home working.

The increase in incineration and decrease in landfill is due to the switch over to new West of England contracts for treatment of residual waste.

## **Duty to Co-operate**

The requirement for local planning authorities (LPAs) to work under the Duty to Cooperate (DTC) on strategic planning issues is set out in section 33A of the Planning and Compulsory Purchase Act 2004, as inserted by section 110 of the Localism Act (2011). This requires authorities to engage constructively, actively and on an ongoing basis in relation to a number of activities including the preparation of development plan documents, other local development documents and marine plans. Local planning authorities must publish details of what action they have taken in relation to the duty to co-operate through their Authority's Monitoring Reports (AMRs).

During 2019/20, the West of England authorities have undertaken the following activities in relation to the duty to co-operate, including:

### **West of England Spatial Development Strategy (SDS)**

Following changes introduced in the National Planning Policy Framework (NPPF) in 2019, we are collaborating on the preparation of the West of England Combined Authority (WECA) Spatial Development Strategy (SDS). Production of the SDS involves WECA, Bristol City Council, Bath & North East Somerset Council and South Gloucestershire Council, whilst at the same time working under the duty to co-operate with North Somerset Council.

Further information on the SDS, Statement of Common Ground and the shared Strategic Evidence Base can be found on the West of England Combined Authority website.

### **Minerals Planning**

The National Planning Policy Framework (NPPF) requires minerals planning authorities (MPAs), such as the West of England authorities, to plan for a steady and adequate supply of aggregates by participating in the operation of an Aggregate Working Party (AWP) and taking its advice into account when preparing their Local Aggregates Assessment. The South West AWP meets quarterly and membership includes representatives from central Government, mineral planning authorities, the Mineral Products Association, the British Aggregates Association, and such other representatives as appropriate.

### **Local Aggregates Assessment (LAA)**

A Local Aggregate Assessment is an annual assessment of the demand for and supply of aggregates in a mineral planning authority's area. Within the West of England, Local Aggregates Assessments are prepared jointly by the four unitary authorities (UAs) within the West of England sub-region (Bristol City, Bath and North East Somerset, North Somerset and South Gloucestershire). The LAA forms an important part of the evidence base that will be used to inform preparation of the UAs' individual Local Plans. The most recent published LAA covers the period 2009-2018. The LAA for 2011-2020 is currently in preparation.

**Joint Planning Data Group**

The West of England authorities take a joined-up approach to land-use research and monitoring across the sub-region and there is a well-established joint working arrangement through the Joint Planning Data Group. The group meets quarterly to ensure consistency, best practice, share expertise and reduce duplication of effort across the sub-region.



### Appendix A: Housing Trajectory

Paragraph 73 of the National Planning Policy Framework (NPPF, February 2019), requires authorities to identify and update annually a supply of deliverable sites sufficient to provide five years' worth of housing against their housing requirements. Housing requirements are set out in adopted strategic policies, or against their local housing need [using the standard method for calculating local housing need], where the strategic policies are more than five years old. The Housing Trajectory below sets out sites that are; complete, under construction or projected to build out between the years 2018 and 2027 onwards. Please see the key (situated at the end of Appendix A) for a guide to the Housing Trajectory.

RLS Ref.	Planning Application Number	Address	Past Completions										Core Strategy End	Build Out of Large Sites Post 2027	Total Net / Residual
			2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027			
0002hn		Bradley Stoke													122
0002hk		Bradley Stoke													182
0003		Dragon Road, Winterbourne													1
0005		Hortham													270
0006a		Stoke Park Hospital													1
0007		Filton College, Filton													77
0008a	PT09/1271/RM	Charlton Hayes (PT09/1271/RM) - Bovis [H18]													51
0008b	PT09/0765/RM	Charlton Hayes (PT09/0765/RM) - Bovis [H21, H22, H23]													111
0008c	PT10/0042/RM	Charlton Hayes (PT10/0042/RM) - Bovis [H19, H20]													60
0008d	PT12/1137/RM	Charlton Hayes (PT12/1137/RM) - Bovis [LC1]													33
0008e	PT11/1766/RM	Charlton Hayes (PT11/1766/RM) - Bovis [Part MU5, Part MU6]													40
0008f	PT11/2687/RM	Charlton Hayes (PT11/2687/RM) - Bovis [Part H50, Part H51]													53
0008g	PT16/1319/RM	Charlton Hayes - Bovis [H3, H4, H5]	46	49	20	3									118
0008h	PT12/0656/RM	Charlton Hayes (PT12/0656/RM) - Barratt [H30]													46
0008i	PT12/1849/RM	Charlton Hayes (PT12/1849/RM) - David Wilson [H27, H32]													40
0008j	PT12/0521/RM	Charlton Hayes (PT12/0521/RM) - David Wilson [H31]													25
0008k	PT12/2470/RM	Charlton Hayes (PT12/2470/RM) - Barratt [H28, H29, H33]													101
0008l	PT12/3040/RM	Charlton Hayes - Bovis [Part H52]			3										9
0008m	PT13/1003/RM	Charlton Hayes (PT13/1003/RM) - Bovis [H25, H26]													75
0008n	PT12/4119/RM	Charlton Hayes (PT12/4119/RM) - Bellway [H34, H36]													86
0008o	PT13/0446/RM	Charlton Hayes (PT13/0446/RM) - Bovis [H35, MU3]													65
0008p	PT13/0559/RM	Charlton Hayes (PT13/0559/RM) - Bovis [Part H51, Part H52 to H56]													137
0008r	PT13/4370/RM	Charlton Hayes (PT13/4370/RM) - Bovis [H39]													54
0008s	PT13/4443/RM	Charlton Hayes (PT13/4443/RM) - Bovis [H8, H9, H10]													115

RLS Ref.	Planning Application Number	Address	Past Completions										Core Strategy End	Build Out of Large Sites Post 2027	Total Net / Residual
			2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027			
0008t	PT14/4954/RM	Charlton Hayes (PT14/4954/RM) - Bellway [H40, H47, H48]	25												120
0008u	PT16/0832/RM	Charlton Hayes - Barratt [H41 to H46, H49]	50	95	27	5									205
0008v	PT15/1349/RM	Charlton Hayes (PT15/1349/RM) - Bovis [MU2]													36
0008w	PT15/3344/RM	Charlton Hayes (PT15/3344/RM) - Linden [H38]													28
0008x	PT15/1676/RM	Charlton Hayes (PT15/1676/RM) - Bovis [H15, H16]													75
0008y	PT15/5088/RM	Charlton Hayes (PT15/5088/RM) - Bovis [H14, H17]	27												63
0008z	PT15/5106/RM	Charlton Hayes (PT15/5106/RM) - Linden [H37]	20												65
0009	PT02/3497/F	Former Lime Works, Itchington													17
0010a	PT07/1715/RM	Wallscourt Farm (Phase 1)													100
0010b		Wallscourt Farm (Phase 2)													160
0010c	PT09/5336/RM	Wallscourt Farm (Phase 3)													193
0010d	PT08/3118/RM	Wallscourt Farm (Phase 4)													77
0010e		Wallscourt Farm (Phase 5 part)													137
0010f	PT11/2698/RM	Wallscourt Farm (Phase 7)													97
0010g	PT15/0870/RM	Wallscourt Farm (Phase 5 part) (PT15/0870/RM)													32
0011b	PT15/1179/O	East of Coldharbour Lane - Phase 1 (PT15/1179/O)		261											261
0012		162-164 Gloucester Road, Patchway													11
0015		Toghill Lane, Doynton													10
0017		46-92 Milton Road, Yate													16
0018		Land at Broad Lane, Yate													23
0020		Coopers Site, Westerleigh Road, Yate													67
0021a	PT12/1302/RM	Land at Harry Stoke, Stoke Gifford (PT12/1302/RM)													166
0022		472-478 Filton Avenue, Filton													21
0023		New Road, Filton													72
0024		West End, Marshfield													17
0025		Whiteshill House, Hambrook													10
0026	PT06/0085/RM	New Road, Rangeworthy													21
0027		The Galleon, Conygre Road, Filton													12
0028		The Lawns, Yate													14
0029		Fishpool Hill, Easter Compton													13
0033		Land at Siston Hill, Siston													504
0034	PK08/3230/F	Hanham Hall Hospital, Hanham													185
0036aa	PK13/2790/RM	GHQ Emersons Green - Linden [Parcel 5]													45
0036ab	PK13/2741/RM	GHQ Emersons Green (PK13/2741/RM) - Barratt [Parcels 6 & 7]													129
0036ac	PK13/2648/RM	Lyde Green - Taylor Wimpey [Parcel 2a]													75
0036ad	PK13/2646/RM	GHQ Emersons Green - Persimmon [Parcel 3]													56
0036ae	PK13/2647/RM	GHQ Emersons Green (PK13/2647/RM) - Persimmon [Parcel 8]													79

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			2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027			
0036af	PK13/2649/RM	GHQ Emersons Green (PK13/2649/RM) - Taylor Wimpey [Parcels 9 & 10]													135
0036ag	PK14/4110/RM	GHQ Emersons Green (PK14/4110/RM) - Persimmon [Parcel 12]	9												99
0036ai	PK14/3540/RM	GHQ Emersons Green (PK14/3540/RM) - Bellway [Parcels 13 & 14]	28												118
0036aj	PK15/1174/RM	GHQ Emersons Green (PK15/1174/RM) - Persimmon [Parcel 15]	12												57
0036ak	PK16/0540/RM	GHQ Emersons Green (PK16/0540/RM) - Persimmon [Parcel 22]	41												56
0036al	PK15/5115/RM	Lyde Green (PK15/5115/RM) - Taylor Wimpey [Parcels 23 & 24]	57	31											88
0036an	PK16/6501/RM	Lyde Green - Taylor Wimpey [Parcels 17 & 18a]		31	60	10									101
0036ap	PK17/1121/RM	Lyde Green (PK17/1121/RM) - Persimmon Homes [Parcels 21a]		21											21
0036aq	PK17/2795/RM	Lyde Green - Persimmon Homes [Parcels 16a]		33	20	3									56
0036as	PK17/4910/RM	Lyde Green - Persimmon Homes [Parcel 21b]			20	15									35
0036ba	PK14/2715/RM	Gateway Site Emersons Green (PK14/2715/RM) - Linden [Parcel 2]	31												126
0036bb	PK15/2918/RM	Gateway Site Emersons Green (PK15/2918/RM) - Taylor Wimpey [Parcel 1]	113												128
0036bc	PK17/1745/RM	The Gateway at Lyde Green - Taylor Wimpey [Phase 2]		6	87	29									122
0037		North of Douglas Road, Kingswood													131
0038		Former Woodstock Special School, Courtney Road													66
0040		Cloverdale Drive, Longwell Green													2
0041		Land Off Southway Drive, Warmley													41
0046		Mounthill Nursery, Kingswood													14
0047		Summit Youth Centre, Kingswood													71
0048		Hanham Road DSO, Kingswood													24
0054		Church Road, Kingswood													23
0060		Carsons Road, Kingswood													4
0063		Depot Downend Road, Kingswood													14
0064		29-35 High Street, Kingswood													14
0065		R/O 1, 3 and 7 Tower Road South, Kingswood													13
0066		65 Cadbury Heath Road, Kingswood													13
0067		Jubilee Road, Kingswood													23
0068		1-3 Colston Street, Soundwell													14
0069		21 Portland Street, Soundwell													13
0070		Crossroads Service Station, Downend													13
0071		Downend Lower School, Northview, Downend													52
0073		Kingsway Engineering, Hanham													14
0074		Lintham Drive, Kingswood													68
0075		36 High Street, Staple Hill													13
0076		Rear of Cossham Street, Mangotsfield													13

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0077		Former Courtaulds Factory, Staple Hill													45
0079		Bath Road, Thornbury													45
0080		Cambrian Drive/Wellington Road, Yate													70
0081		Cattle Market, Thornbury													22
0082		Siblands, Gillingstool, Thornbury													23
0084		BFS Diecutting, 27 Hanham Road, Kingswood													14
0085		Adj.22 Memorial Road, Hanham													14
0086		Queens Road, Cadbury Heath													9
0088		Priory Court, Hanham													28
0090		Broad Street/Beaufort Road, Staple Hill													14
0091		Passage Road, Almondsbury													12
0092		Adjacent to Southmead Road, Filton													65
0093		23 Stanbridge Road, Downend													11
0094		Factory, Morley Road, Staple Hill													32
0095	PK08/1530/F	Kingswood Trading Estate, Kingswood	57												57
0097		Wall Tynning Nursing Home, Bitton													9
0099		95 High Street, Kingswood													10
0100		148 Hanham Road, Kingswood													14
0101		Former Police Station, High Street, Kingswood													14
0102		17 and 25a Overnhill Road, Downend													36
0105		Power Electrics, Morley Road, Staple Hill													14
0107		Roseacre, Harry Stoke Road, Stoke Gifford													14
0109	PT11/3811/F	Rear of 13, 14 and 15 Harry Stoke Road, Stoke Gifford													13
0110		Soundwell Centre, Soundwell													11
0111		67-73 Bath Road, Longwell Green													26
0112		The Rotunda Club, Moravian Road, Kingswood													14
0114		894-896 Filton Avenue, Filton													8
0115		Fiveways, New Cheltenham Road, Kingswood													40
0116		Factory Site, Portland Street, Staple Hill													30
0117		Sir Bernard Lovell Playing Fields, Oldland Common													13
0118		Former School, Beaufort Road, Downend													63
0119		Land adjacent Hares Farm, Mapleridge Lane													10
0120		Land at Abbots Road, Hanham													14
0122		The Meads, Frampton Cotterell													188
0123		Sea Stores, Kennedy Way, Yate													228
0124		Land at Parkway North, Stoke Gifford													34
0127	PK10/2627/F	Mount Pleasant Farm, Longwell Green (PK10/2627/F)	19	51											70
0128	PK15/0532/F	Intier Site, Bitton		53	33	27									113
0129a	PK12/1828/F	Barnhill Quarry, Chipping Sodbury													60
0129b	PK14/0612/RM	Barnhill Quarry, Chipping Sodbury	19												109
0130		Land at junction of Whittucks Road and Abbots Road, Hanham													34

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0131		Land off Catbrain Hill, Cribbs Causeway													50
0132a	PT13/0919/RM	North of Park Farm, Thornbury	41			1									126
0133a	PK13/1185/RM	Land at North Yate (PK13/1185/RM) - Peg Hill	46												235
0133ad	PK18/0527/RM	Land at North Yate - Barratt PL23b, PL23d, PL23e			28	45									73
0133ag	PK18/3237/RM	Land at North Yate - Barratt PL22		2	3	2									7
0137	PK15/0718/RM	Hill View and Hill Top, Woodstock Road, Kingswood													12
0138c	PT17/4904/RM	Phase 3a Frenchay - Redrow			35	6									41
0139		Former Coopers Works, Westerleigh Road, Yate													92
0140		Rear of 60 Wotton Road, Charfield													16
0141		Land at Savages Wood Road, Bradley Stoke													74
0143		Frome Court, Thornbury													14
0144		Land off Broad Lane, Yate													14
0145	PK14/4698/F	Minelco site, Randolph Avenue, Yate	8												34
0146	PK13/2792/RM	Blackhorse Day Centre, Mangotsfield													31
0147	PK14/0120/F	Rodford Primary School, Yate (PK14/0120/F)													57
0149		Prinknash Court, Abbotswood, Yate													-4
0150		28-50 Gloucester Road, Patchway													-12
0151a	PT12/2395/O	North of Morton Way, Thornbury (Phase 1) (PT12/2395/O)		1											109
0151b	PT15/5060/RM	North of Morton Way, Thornbury (Phase 2) (PT15/5060/RM)	51	21											108
0151c	PT17/3446/F	Crossways, North of Morton Way, Thornbury (Phase 3)		13	59	11									83
0153	PT13/0510/F	Adj.The Burltons, Cromhall	11												11
0154		Police Station, Thornbury													36
0155	PT16/6845/RM	Cedar Lodge, Charlton Common, Patchway			11	2									13
0157		Moravian Road, Kingswood													16
0159a		University of the West of England - Student housing													38
0160	PK13/2851/F	Former Police Station, Staple Hill													48
0161	PK14/4964/F	Wapley Court, Yate (PK14/4964/F)													24
0162	PT13/3396/F	Former Police Station, Filton													18
0163	PK15/1260/F	Cadbury Heath Youth Centre, Park Road, Warmley	18												25
0164	PK15/2533/F	Concrete Plant, Quarry Road, Chipping Sodbury		3	3	5									11
0165	PT13/3101/F	Pound Mill, Lower Morton, Thornbury (PT13/3101/F)		12											12
0166	PT14/4961/F	Alexandra, Midland Way, Thornbury													23
0174a	PT14/1490/F	15 Oldlands Ave. Coalpit Heath - Merlin scheme (PT14/1490/F)	4												4
0174b	PT14/1489/F	Bell Rd. Coalpit Heath - Merlin scheme (PT14/1489/F)	4												2

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0174c	PT14/1518/F	Ridings Rd. Coalpit Heath - Merlin scheme (PT14/1518/F)	8												4
0174d		Oldlands/Newlands, Coalpit Heath - Merlin schemes (PT14/0943/PND)													-10
0174e	PT14/1496/F	Willow Way, Coalpit Heath - Merlin scheme (PT14/1496/F)		8											2
0174f	PT14/1836/F	Ware Court, Winterbourne - Merlin scheme (PT14/1836/F)													-4
0174g	PT14/0344/F	Newleaze House, Filton - Merlin scheme (PT14/0344/F)													-21
0174h	PK14/4994/F	Algars Drive, Iron Acton - Merlin scheme (PK14/4994/F)	-8	14											6
0174i	PK14/4995/F	Nibley Lane, Iron Acton - Merlin scheme (PK14/4995/F)	-8	13											5
0174j		Oldlands/Newlands, Coalpit Heath - Merlin schemes (PT14/4451/PND)													-8
0174k	PT14/1492/F	7 Oldlands Ave. Coalpit Heath - Merlin scheme (PT14/1492/F)													22
0174l	PT14/1517/F	12 Oldlands Ave. Coalpit Heath - Merlin scheme (PT14/1517/F)													15
0174m	PK14/3334/PND	Algars/Chilwood, Iron Acton - Merlin scheme (PK14/3334/PND)	-2												-2
0174n	PT15/1262/F	Newlands Ave. Coalpit Heath - Merlin scheme (PT15/1262/F)	5												5
0174o	PT15/1265/F	Newlands Ave. Coalpit Heath - Merlin scheme (PT15/1265/F)	-4	4											0
0174p	PT15/2099/F	Coalville Rd. Coalpit Heath - Merlin scheme (PT15/2099/F)		4											4
0174q	PK15/1640/F	Garage site, James Road, Soundwell (PK15/1640/F)													5
0174s	PT18/3038/F	Rodney Crescent, Filton (Merlin Phase 2)		-8	15	2									9
0174t	PT17/4327/F	Collins Avenue, Little Stoke (Merlin Phase 2)		-10	13	2									15
0174w	PK15/1651/F	Irving Close, Staple Hill (PK15/1651/F)	25												5
0174x	PK16/4486/F	28 Blackhorse Lane, Downend (PK16/4486/F)	-1	5											4
0174y	PK16/4492/F	Land off Beaufort Road, Downend (PK16/4492/F)		16											16
0174z	PT17/2270/F	Langdale Court, Consiton Road, Patchway (PT17/2270/F)	-17	12											-5
0175	PT14/0760/F	Extra Care scheme Charlton Hayes [H24, LC3]													24
0175a	PT17/5476/F	40 Bed Care Home & 4 Town Houses Charlton Hayes			8	1									9
0177	PT14/3203/F	Charlton House, Filton (PT14/3203/F)													22
0178	PK14/2628/F	17-19 Edgware Road, Staple Hill (PK14/2628/F)													10
0182	PT14/4404/F	98 Gloucester Road, Filton (PT14/4404/F)	10												9
0183	PK15/0579/F	47 Broad Street, Staple Hill (PK15/0579/F)													10
0184	PK15/1645/F	2-4 Hanham Road, Kingswood (PK15/1645/F)													10

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0185	PT16/6580/RM	Land at Day House Leaze, Wotton Road, Charfield		39	21	4									64
0186	PT14/2849/F	Bonnington Walk, Stoke Gifford (PT14/2849/F)	30												95
0187	PT16/1503/RM	South of Wotton Road, Charfield (PT16/1503/RM)	61	39											106
0189	PK15/3950/F	Land off High Street, Hanham			46	8									54
0190a	PT18/0902/F	Land at Post Farm, Thornbury (replan of PT15/2917/O and PT16/4055/RM)				7									7
0191	PT15/0510/F	Lockleaze Recreation Ground, Stoke Gifford	41	47	55	9									152
0192	PK15/4995/F	Wesleyan Chapel, Blackhorse Road, Kingswood (PK15/4995/F)		15											15
0193	PT15/5521/F	The Gables, Costers Close, Alveston		-1	9	1									9
0194	PK17/5966/RM	South of Poplar Lane, Wickwar			46	34									80
0197	PK16/5889/F	Kerr House, Morley Road, Staple Hill		12	8	1									21
0198	PT16/4976/F	Junction Hayes Way / Charlton Boulevard, Patchway Site 1 (PT16/4976/F)		42											42
0201	PK17/0807/F	Oaktree Avenue, Puckelchurch Site A			33	5									38
0202	PK16/2566/F	Cecil Road, Kingswood (PK16/2566/F)		29											29
0203	PK17/0808/F	Oaktree Avenue, Puckelchurch Site B (PK17/0808/F)		20											20
0206	PT16/0982/F	Former Council Offices, Castle Street, Thornbury	-1		53	9									61
0209	PK17/2020/F	Amberley Lodge, Broad Lane, Yate		17	8	1									26
0210	PT18/2466/RM	Almondsbury Squash Club, Oaklands Drive, Almondsbury			9	1									10
0212	PT17/2240/F	Land at Duck Street, Tytherington			12	16									28
0213	PK17/2864/F	Former Education Centre, Mangotsfield		6	13	2									21
0214	PK17/3702/F	East of Greenbank Road, Hanham		15	45	17									77
0215	PT18/3990/F	Oakfield House, Wotton Road, Rangeworthy			2	11									13
0221	PK17/3061/F	Land at Normandy Drive, Yate			53	9									62
0233	P19/7177/F	Wood Leaze Residential Care Home				18									18
		Small Sites fewer than 10 dwellings - North Fringe of Bristol	56	25	0										486
		Small Sites fewer than 10 dwellings - East Fringe of Bristol	134	81	0										1353
		Small Sites fewer than 10 dwellings - Chipping Sodbury	9	17	0										62
		Small Sites fewer than 10 dwellings - Yate	8	20	0										132
		Small Sites fewer than 10 dwellings - Thornbury	3	6	0										112
		Small Sites fewer than 10 dwellings – Elsewhere	123	114	0										1146
0008aa	PT16/4740/RM	Charlton Hayes (PT18/3452/RVC) - Bovis [LC2]			10	2	40								52

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			2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027				
0008ab	PT16/6598/RM	Charlton Hayes - Bovis [H11, H12, H13]		30	25	64	11									130
0008ac	PT17/5946/RM	Charlton Hayes - [H6, H7, MU1]			22	21	38	17								98
0008ad	PT18/0268/RM	Charlton Hayes - Bovis [H1, H2a and H2b]			18	72	20									110
0011a	PT15/1179/O	East of Coldharbour Lane - Phase 1 (PT15/1179/O)	98	52	45	16	28									288
0011c	PT18/0659/RM	East of Coldharbour Lane - Phase 2 (PT15/1179/O)			22	35	26	20								103
0021b	PT17/5810/RM	Land at Harry Stoke, Stoke Gifford - Crest & Sovereign & Linden Homes				10	150	120	120	120	95	90	58			763
0035	PK10/1057/F	South of Douglas Road, Kingswood	18	20	21	27	14	20	20	32	50	50	50			322
0036ah	PK15/0681/RM	Lyde Green - Barratt [Parcel 11]	49		2	6	9									96
0036am	PK16/2568/RM	Lyde Green - Persimmon [Parcel 1]	84						6							90
0036ao	PK17/4155/RM	Lyde Green - Persimmon Homes [Parcels 18, 20a & 20b]				59	48	7								114
0036ar	PK18/1513/RM	Lyde Green - Persimmon Homes [Parcels 27a & 28]			37	53	48	2								140
0036at	PK18/1464/RM	Lyde Green - Taylor Wimpey 25a, 25B And 26			28	87	40	7								162
0036au	PK18/4996/RM	Lyde Green - Quatro Design Architects (Extra Care)					50									50
0036av	P19/8823/RM	Lyde Green - Taylor Wimpey [Parcel 16b]					20	50	26							96
0036aw	P19/16786/RM	Parcel 2b Emersons Green East							19							19
0036ax	P20/10826/RM	Parcel 27B Emersons Green East						15	12							27
0036aaa	P19/19012/RM	Parcel 19 Emersons Green East							16	30	30					76
0036d	PK17/1112/F	Land South Of Lyde Green - BDW & Taylor Wimpey					25	35	55							115
0036e	PK18/3977/F	Land At White House Farm - Taylor Wimpey & Persimmon						44	45							89
0132b	PT15/5528/RM	North of Park Farm, Thornbury	71	43	126	126	8									374



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0133	PK12/1913/O	Land at North Yate (PK12/1913/O) Barratt/DWH									100	100	100	123	423
0133ab	PK17/5388/RM	Land at North Yate - Barratt PL23a, PL23c		14	46	8	9								77
0133ac	PK17/5389/RM	Land at North Yate - DWH PL14d, PL22		25	41	7	10								83
0133ae	PK18/1723/RM	Land at North Yate - Barratt PL12b, PL13b			73	119	34								226
0133af	PK18/3185/RM	Land at North Yate - DWH PL15a, 16a, 16b					31	25	25	25					106
0133ah	P19/2525/RM	Land at North Yate, PL17a, 17b, 18a, 18b & 21					29	100	50	50					229
0133ai	P19/14361/RM	Land at North Yate - Barratt PL14e						48							48
0133aj	P19/12246/RM	Land at North Yate - PL12a, PL13a					60	71	24						155
0133ak	P20/16804/RM	Land at North Yate - PL7, 8, 9 & 11					23	40	40	40	40				183
0133al	P21/02473/RM	Land at North Yate - PL15c and PL16					17	35	35	35	35				157
0133b	P19/11377/RM	Land at North Yate - Bellway PL24, 25, 26 & 27					58	87	102						247
0134a	PT14/0565/O	Cribbs/Patchway NN - West of A4018 Haw wood								16	45	45	392		498
0134b	PT12/1930/O	Cribbs/Patchway NN - Wyke Beck Rd/Fishpool Hill									100	100	665		865
0134bb	PT15/4165/F	Cribbs/Patchway NN - Charlton Common							20	30	30				80
0134c	PT14/3867/O	Cribbs/Patchway - Former Filton Airfield YTL (PT14/3867/O)								70	230	120	1977		2397
0134ca	PT18/5892/RM	Parcelss RO3 and RO4 - Former Filton Airfield YTL					45	95	162						302
0135a	PT16/4782/O	New Neighbourhood - East of Harry Stoke - Crest [South of railway]									55	93	1000		1148
0135aa	P20/17975/RM	New Neighbourhood - East of Harry Stoke - Crest [South of railway] (PT16/4782/O)						16	65	56	5				142
0135b	PT16/4928/O	New Neighbourhood - East of Harry Stoke - Council Land [North of railway]								50	50	50	27		177
0135ba	P20/03681/F	New Neighbourhood - East of Harry Stoke - Wain Homes [North of railway]						36	36	36	42				150

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			2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027				
0135c	PT16/6182/F	New Neighbourhood - East of Harry Stoke - Engie formerly Keepmoat [Hambrook Ln/Curtis Ln]				23	12	34								69
0135d	PT17/5873/O	New Neighbourhood - East of Harry Stoke [Land off Old Gloucester Road, Hambrook]										53	53	52	158	
0138a	PT15/5412/RM	Phase 1 Frenchay - Redrow	54	27					8						89	
0138b	PT17/0973/RM	Phase 2 Frenchay - Redrow		36	65	13	13								127	
0138d	PT17/5624/RM	Phase 3b Frenchay - Redrow						34	35						69	
0138e	PT17/5363/RM	Phase 4 Frenchay - Redrow					57	90	15						162	
0156	P19/5320/RM	Eastwood Park, Falfield (PT12/3707/O)						-10	10	10					10	
0167	PT17/3333/RM	R/O Dick Lovett, Laurel Hill, Cribbs Causeway		-2		5	36	36	33						108	
0169	PT17/4963/RM	Goodmans additional land "Northfield Park"			47	40	33								120	
0174	P20/17527/F	Mendip Crescent, Downend - Merlin					-4	11							7	
0190	PT16/4055/RM	Land at Post Farm, Thornbury	16	44	20	39	6								125	
0204	P19/2524/RM	West of Gloucester Road, Thornbury (PT16/4774/O)					30	50	50						130	
0207	P19/3928/RM	Heneage Farm, Falfield (PT17/4800/O)				5	21	25	25	9					85	
0211	P19/14956/F	Land To The West Of Stowell Hill, Tytherington (PT17/2331/O)					15	14							29	
0216	PK17/5109/F	East of Trinity Lane, Chipping Sodbury			12	36	12								60	
0218	P19/4513/RM	Land South Of Park Street, Hawkesbury Upton (PK18/1532/O)						11	10						21	
0219	P19/5258/RM	Land South Of Horwood Lane, Wickwar (PK17/4552/O)					36	36	18						90	
0222	PT18/6493/RM	Land north of Wotton Road, Charfield, Gloucestershire, Barratt					35	40	40						115	
0223a	PT18/6313/RM	Blackberry Park, Land east of Park Lane, Coalpit Heath				65	31								96	
0223b	P19/18441/RM	Phases 2 And 3 Land At Park Lane Coalpit Heath					10	50	40	8					108	

RLS Ref.	Planning Application Number	Address	Past Completions										Core Strategy End	Build Out of Large Sites Post 2027	Total Net / Residual	
			2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027				
0224	P19/15929/RM	Former North Avon Magistrates Court, Yate						45								45
0225	PK18/5781/RM	The Shant, Crown Road, Kingswood					10									10
0226	PT18/0930/R3O	Watermore Junior School, Lower Stone Close Frampton Cotterell							27							27
0227a	P20/07655/RM	Cleve Park, Thornbury (PT16/3565/O)							25	50	50	50	161			336
0229	PK17/0704/F	Land At 298 Soundwell Road (Cross boundary with Bristol)							10	10						20
0230	PK16/4840/F	Masters Church Park Road, Kingswood							22							22
0234	P19/15643/O	Land East of Cedar Lodge (replace PT17/1209/F)									29					29
0236	P19/10586/PNOR	Kingsgate House - HHC Investments						8	8							16
0237	P19/7309/PNOR	International House - Kingswood						9	10							19
0242	P19/19778/F	West of Garston Farm, Marshfield						15	3							18
0243	P20/00319/F	33 Quarry Road, Alveston														
0249	P20/23871/F	Alveston House Hotel Davids Lane Alveston				-2		13								11
								22								22
0199	P19/12563/F	Land At MU6 Charlton Hayes (PT16/4975/F)									10					10
0227	PT16/3565/O	Cleve Park, Thornbury (PT16/3565/O) - Care Home										14				14
0231	PT18/4625/F	Land At Oaklands Drive Almondsbury											18			18
0232	P19/5351/F	The Park Hotel, Gloucester Road						2								2
0235	PK18/6115/F	Warmley Court - Linden homes Care Home								2						2
0239	P20/05310/F	Former GB Neuro Building														
0246	P19/19773/F	64 Bed Nursing Home, Gravel Hill Road Yate									8					8
0251	P20/21983/F	University Of West Of England - Phase 1 (18 studio & 882 cluster)									8					8
										270						270

RLS Ref.	Planning Application Number	Address	Past Completions									Core Strategy End	Build Out of Large Sites Post 2027	Total Net / Residual	
			2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027			
0252	P20/10080/F	Block B Cheswick Village (36 studio & 3 cluster)					37								37
0133c		Land at North Yate - Barratt (Formerly TW)													300
0135da		New Neighbourhood - East of Harry Stoke [Residual Land]								50	50	50	20		170
0238	P20/22922/RM	Romney House - Cross Boundary Application (PK18/0989/O)						8							8
0254	P20/15214/F	Land North Of Lodge Road, Engine Common, Yate						15	16						31
0255	P21/00546/F	Land At Hampton Close, Cadbury Heath						-24	44						20
0257	P19/2575/F	Land North of Iron Acton Way & East of Dyers Lane											118		118
0258	P20/13119/F	Land East of Malmain Drive, Frenchay								30					30
0259	P21/02958/F	Savages Wood Road, Bradley Stoke								21					21
0021c	PT17/5847/RM	Land at Harry Stoke, Stoke Gifford - Crest								25	50	50	50	88	263
0036ay	P21/03348/RM	Parcel 29 Emersons Green								20	20	27			67
0036az	P21/06187/RM	Parcel 30 Emersons Green								20	20	28			68
0133am	P21/04892/RM	North Yate - Land At Ladden Garden Village									9				9
0133an	P21/03161/RM	North Yate - PL19, 20, 28 and 29									50	50	45		145
0036ca	P19/1275/F	Land At Lyde Green Farm - Edward Ware Homes										50	50	298	398
0134aa	P21/04349/RM	Land At Cribbs Causeway (Berwick Green / Haw Wood)						37	46	42	37	40	56		258
0134ab	P21/04748/RM	Parcels 14-19 Land At Cribbs Causeway (Berwick Green / Haw Wood)						74	93	68	9				244
0134ba	P21/05421/RM	Land At Wyck Beck Road And Fishpool Hill						30	72	72	61				235
0247a	P21/06953/RM	Land At Crossways Morton Way Thornbury									30	39			69
0248	P20/12395/F	Land West of Trinity Lane								20	20	20	30		90
0250a	P21/04070/RM	Land East Of North Road Yate									40	44			84

RLS Ref.	Planning Application Number	Address	Past Completions										Core Strategy End	Build Out of Large Sites Post 2027	Total Net / Residual
			2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026	2026/2027			
0253	P21/07653/RM	The Railway Inn, Station Road, Yate									40				40
0256	P21/05128/F	The Hoodlands, Hambrook Lane, Hambrook (MMC)							25	25					50
		<b>Small Sites Core Strategy Projected</b>			0	392	210	210	210	210	210	210		3,150	4,802
			1,599	1,573	1,518	1,650	1,491	1,775	2,160	1,570	1,728	1,244		8,235	35,409
			<b>Total 2006/07 to 2019/20</b>				<b>Total 2021/22 to 2025/26</b>								
			17,206				8,724					1,244	8,235		

Key	
	Sites that are built out entirely. This category comprises large sites of 10 homes or more which are listed individually and small sites of fewer than 10 homes which are aggregated by area.
	Sites with planning permission. This category comprises large sites of 10 homes or more with outline, detailed, and/or reserved matters permission which are listed individually.
	Sites that are considered Extra Care Schemes. As outlined in paragraph 041 Reference ID: 68-041-20190722 of the 2019 National Planning Policy Guidance, communal accommodation can count towards the Housing Delivery Test, with adjustments based on nationally set ratios. A ratio of 1.8 (identified in 2019 NPPG) has been applied to communal accommodation (C2). Where Extra Care accommodation is self-contained, 2019 NPPG states C2 schemes are included in the National Statistic for net additional dwellings, therefore these sites are counted as a 'standard site' with planning permission and are found in the above section of the housing trajectory.
	Sites that are; awaiting the completion of a S106 agreement, allocated in the South Gloucestershire Local Plan, identified in the Core Strategy, allocated in the Policies Sites and Places Plan.
	Sites currently progressing through the development management process.

Note	
<b>Small Sites *</b>	Small sites are sites fewer than 10 homes and total 711 with planning permission (outline, detailed, and/or reserved matters) of which 170 are under construction (April 2019). Monitoring of past completions of small sites reveals an annual average of 253 units since the start of the SGC Core Strategy period. To reflect these figures a conservative allowance of 210 dwellings per annum, has been assumed.
<b>Total Net</b>	This column represents all units that have/are expected to complete from 2016 onwards and those units that may be demolished, equating to the total number of units on site.

EP17



## Appeal Decision

Inquiry held on 5 – 8 July 2022

Site visits made on 5, 6 and 7 July 2022

**by H Porter BA(Hons) MSc Dip IHBC**

**an Inspector appointed by the Secretary of State**

**Decision date: 25<sup>th</sup> August 2022**

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### **Appeal Ref: APP/Y1110/W/22/3292721**

#### **Land off Spruce Close, Exeter, EX4 9DR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Salter Property Investments Ltd. against the decision of Exeter City Council.
  - The application Ref 20/0538/OUT, dated 22 May 2020, was refused by notice dated 12 October 2021.
  - The development proposed is for up to 93 residential dwellings (approval sought for details of access only, with scale, layout, appearance and landscaping all reserved for future consideration).
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#### **Decision**

1. The appeal is allowed and planning permission is granted for up to 93 residential dwellings (approval sought for details of access only, with scale, layout, appearance and landscaping all reserved for future consideration) at Land off Spruce Close, Exeter, EX4 9DR in accordance with the terms of the application, Ref 20/0538/OUT, dated 22 May 2020, subject to the conditions set out in the schedule at the end of this decision.

#### **Application for costs**

2. An application for costs was made by Salter Property Investments Ltd. against Exeter City Council. This application will be the subject of a separate decision.

#### **Preliminary Matters**

3. Exeter Greenspace Group (EGG) sought and was granted Rule 6 status under the Inquiry Procedure rules. In addition to a general planning Statement of Common Ground (SoCG), a Transportation and Highway SoCG; Housing Land Supply SoCG; and Character and Appearance SoCG were agreed by the Appellant and Council; a further SoCG was agreed between the Appellant and EGG. The Inquiry sat for four days between 5 and 8 July 2022. I undertook unaccompanied site visits at the end of the first and second sitting days and an accompanied site visit before the end of the third. Documents that were submitted during the Inquiry are listed at Annex 2 (referred to as ID1, ID2 etc).
4. A certified Planning Obligation by Unilateral Undertaking dated 25 July 2022 (UU) and a Planning Obligation by Agreement dated 25 July 2022 (S106 Agreement), made pursuant to S106 of the Town and Country Planning Act 1990 (as amended), were submitted after the Inquiry had closed and in

accordance with agreed timescales. The UU contains various planning obligations securing provision of affordable housing; the management and maintenance of the New Valley Park and formal and informal Open Space including a local area of play (LAP) and local equipped area of play (LEAP); sustainable urban drainage systems; and a Travel Plan. It also secures financial contributions for GP surgeries; secondary education provision; implementing Traffic Regulation Orders (TROs) and a Travel Plan; the Valley Park; E4 Cycle Route Phase 4; upgrading facilities at local multi-use games areas (MUGAs); and Royal Devon University Healthcare NHS Foundation Trust (NHS Foundation Trust) healthcare services. The S106 Agreement secures a financial contribution for the creation and maintenance of a landscape buffer along the proposed access route on land owned by the Council.

5. The extent to which the provisions within the UU and S106 Agreement meet the tests set out in the National Planning Policy Framework (the Framework) and Regulations 122 of the Community Infrastructure Regulations 2010 (as amended), and the weight I attach to any necessary provisions they contain, are dealt with later in this decision.
6. The outline application was submitted with all matters reserved except for access. Notwithstanding the need for reserved matters approvals, it was confirmed at the Inquiry that the Land Use Parameter Plan, Density Parameter Plan, Scale Parameter Plan, Access and Movement Parameter Plan, Open Space Parameter Plan, and Landscape Strategy Parameter Plan have been submitted for approval at the outline stage. I have considered the appeal on this basis and on the basis that up to 93 dwellings could be provided.

### **Background and Main Issues**

7. The development plan comprises saved policies from the Exeter Local Plan First Review, 2005 (ELP) and the Exeter City Council Core Strategy, 2012 (CS). The Council's single reason for refusing to grant outline planning permission cites conflict with its spatial approach and ELP Policy H1 and CS Policy CP16, through development on an area identified for protection<sup>1</sup>. The Appellant and Council are in agreement that: there would be no actual harm in respect of landscape; that the site is in a sustainable location; and that the proposals meet the Council's policy requirements for the provision of open space<sup>2</sup>. Nevertheless, EGG has submitted evidence and maintains harm in respect of these matters.
8. With all this in mind, I consider the Main Issues in this appeal to be:
  - Whether the appeal site offers an appropriate location for the proposed development, having regard to the development plan and whether services and facilities could be accessed by sustainable modes;
  - The effect of the proposed development on the character and local distinctiveness of the area, including Exeter's 'Landscape Setting'; and
  - Whether loss of open space would be replaced by equivalent or better provision.

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<sup>1</sup> CD-DD8

<sup>2</sup> CD-ID4 paras 6.9, 6.16, 6.17



## Reasons

9. Comprised of two fields laid to semi-improved grassland, the site has a developed edge to the west (Celia Crescent) and south (Spruce Close); an area of open space (Juniper Green) lies just beyond the site's southern boundary. In addition to the two fields within the appeal site's 'red line' boundary (Fields 1 and 2), three further sloping fields with mature tree and hedgerow boundaries (Fields 3, 4 and 5) extend beyond it and are within the 'blue line' boundary. Collectively these fields form part of the rolling open countryside that unfolds at the northern outskirts of Exeter, within the 'hills to the north and northwest' that are designated 'Landscape Setting'<sup>3</sup>.
10. The appeal scheme proposes the development of up to 93 residential dwellings and associated infrastructure, as well as formal and informal open space within the appeal site. One vehicular access point is proposed from the south, via a new road through Juniper Green and a realignment to Spruce Close. A second would be at the site's western boundary where an extant field entrance opens on to a short road fronted by garages leading to Celia Crescent. Although part of the 'blue line' boundary area carries Valley Park status, it is not publicly accessible. The appeal proposal would also involve the designation of Fields 3, 4 and 5 as New Valley Park and allow formal public access to it.

### *Policy principle of the location*

11. The appeal site is undeveloped agricultural land and adjacent to but outside the 20<sup>th</sup> century residential suburb of Beacon Heath and outside the city's urban boundary. It is neither previously developed nor brownfield land and is not covered by any strategic allocation for housing.
12. Saved Policy LS1 of the ELP concerns development within Exeter's Landscape Setting and lists a limited number of development types<sup>4</sup>. None of these include housing development on greenfield land that lies within the hills to the north and northwest. Purely as a matter of straight-forward policy reading, there is clearly a conflict between the appeal proposal and this aspect of saved Policy LS1. However, the Council does not rely on saved Policy LS1 within its reasons for refusal and it is common ground that it is inconsistent with the Framework and should carry very little weight.
13. Saved Policy H1 of the ELP establishes a search sequence by which the Council identifies locational priorities, with development on greenfield land through urban extensions within public transport corridors the last in that sequence<sup>5</sup>. The explanatory text makes clear that potential sites have been assessed against criteria set out in PPG3, which has long-since been superseded. Criterion (iii) of saved Policy H1 refers to housing development on greenfield land through 'sustainable urban extensions within public transport corridors', which are not referenced in the Framework.
14. While there is no definition of either within the ELP, and the wording differs with the Framework, insofar as saved Policy H1 is prioritising development on previously developed land first and lastly on greenfield land last, but where reliance on accessibility to jobs and services by means other than by car exists, it broadly aligns with the Framework. Saved Policy H1 does not require an

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<sup>3</sup> CD-DP9

<sup>4</sup> CD-DP5

<sup>5</sup> CD-DP5

applicant undertake a sequential test, nor does it preclude development on greenfield land per se. Rather, my reading of saved Policy H1 is that housing development on green fields is least preferable and only acceptable where extending an existing urban area that is in a sustainable location, through being well served by public transport.

15. The appeal site is situated a little over 2.5 miles from central Exeter and immediately adjacent to the existing urban area of Beacon Heath, which is predominantly residential and where the local topography is steep. The Appellant's Design and Access Statement (DAS) indicates there are various local facilities and services within walking distance of the appeal site<sup>6</sup>, although EGG contend that the assessment of the site's separation and connectivity fails to reflect the 'facts on the ground' accurately.
16. To get a sense of the site's locational circumstances, I followed two suggested routes, recording times to reach various services and facilities on the way. One journey took me from the Celia Crescent site access, past the Spar store on Beacon Lane, to the entrance of Morrisons supermarket, and back. I also walked from the Spruce Close/Juniper Green access, crossing Beacon Lane to walk along Summer Lane as far as the entrance to Exeter Arena, and back.
17. In certain parts, the gradients along the routes from the appeal site are in excess of the 5% figure recommended in Manual for Streets and the hilly characteristics of the Beacon Heath surroundings do not fit with guidance for 'walkable neighbourhoods'. Personally, I found the distances, steepness and walking environs experience to be manageable, resulting in recorded timings fairly similar to those put forward by the Appellant. I accept, however, there are many factors that could influence different timings, impede or disincentivise 'active travel', particularly for those less mobile, carrying heavy shopping, accompanied by very small children, or walking or cycling during inclement weather.
18. That said, the area is also served by a local bus service (F1), which stops a short walk from the appeal site's proposed western access. A little further downhill along Beacon Lane are additional bus services with sheltered stops, travelling westwards towards the city centre, and eastwards, to Pinhoe train station, which has onward connections to Exeter St David's.
19. It has been put to me that few local residents currently use the bus service. On the other hand, EGG's evidence indicates 35% of those surveyed do use the bus, despite finding it expensive, irregular, and unreliable for onward connections<sup>7</sup>. The appeal scheme proposes to loop the F1 service directly through the site, providing an extension within the existing street network<sup>8</sup>. Consequently, not only would the appeal site be close to existing bus stops, but the public transport route would also run directly through it. There is no reason to doubt that, as the EGG survey confirms, at least some future residents of the proposed development would choose to utilise the extended bus service. It is also evident that the looping of the F1 service through the site would improve the choice, operating conditions, and availability of sustainable travel more widely.

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<sup>6</sup> CD-PA4

<sup>7</sup> CD-GB1 para 1.4.3

<sup>8</sup> CD-ID3 para 2.2.1

20. I consider that the location of the appeal site affords a genuine choice of sustainable ways to access services and facilities. Even if such choices might involve limitations, the proposed development would ensure safe and suitable access to services and facilities by a range of transport modes. Therefore, the appeal proposal would be a sustainable urban extension of Beacon Heath in an area well-served by public transport, thereby offering choice of travel modes other than just the private car and is therefore in a sustainable location. Drawing all of this together, I do not find the appeal proposal would conflict with saved Policy H1 of the ELP.

*Landscape setting, character and local distinctiveness*

21. Saved Policy LS1 seeks to avoid development that would harm Exeter's Landscape Setting, requiring proposals maintain local distinctiveness and character. The Council's reason for refusal relies not on saved Policy LS1 but CS Policy CP16, which likewise seeks, amongst other things, to ensure that the character and local distinctiveness of the hills to the north and northwest will be protected. This Policy aligns with the Framework, notably paragraph 174, which requires decisions contribute to and enhance natural and local environment by, amongst other things, protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.
22. For the purposes of the Exeter Fringes Landscape Sensitivity and Capacity Study, 2007 (LSCS)<sup>9</sup>, the appeal site straddles the southern corners of Zones 4 and 6, which cover much larger swathes of land, each assessed as having high landscape sensitivity. The capacity for housing in Zone 4 is low, indicating it is unable to accommodate development without significant adverse effects. Zone 6 has a medium-low capacity, with development accommodated only in limited situations. The LSCS provides a valuable, broad-brush, starting point by which to judge the sensitivity and capacity of Zones for housing. However, while the characteristics of the landscape described within the LSCS Zones have not obviously changed since its writing, it does not preclude development per se, nor establish degrees of sensitivity or capacity for housing at a site-specific level.
23. The Appellant's Landscape and Visual Impact Assessment<sup>10</sup> (LVIA) has been subject to review by the Council's officers, and subsequently updated and reviewed by an independent chartered landscape architect<sup>11</sup>. These assessments align with my own observations of the appeal site and its context. Indeed, I saw that the green and undeveloped nature of the appeal site fits in with the network of undulating fields, interspersed with woodland and mature vegetation, that characterise the wider rural landscape. Views to the site, and more apparently Fields 3, 4 and 5, are gained from various vantages, including country lanes, highways, residential developments, and other areas designated as Valley Park further afield.
24. Even where the green and undeveloped nature of the appeal site is perceptible from nearby and longer distances, it is read in the context of the extant urban fringe and the transition of the settlement edge into the open countryside. The appeal scheme would occupy the land that slopes alongside the settlement

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<sup>9</sup> CD-SPD14

<sup>10</sup> CD-PA9

<sup>11</sup> CD-DD7

edge, where development already exists on two sides of the site, and where the local topography and mature vegetation offer relative containment. As the ground level rises beyond the upper part of the appeal site, above the 115m AOD contour, the change from the urban fringe becomes more evident. In my judgement, the value and sensitivity of this part of the Landscape Setting increase as the City's green landscape backcloth becomes more obvious, beyond the 115m contour and into Fields 3, 4 and 5.

25. At this stage there are various Parameters Plans for approval, which would contain the developable area to below the apex of the urban fringe and the 115m AOD contour. Building in the upper portion of that developable area would be lower density, detached, and not higher than 9.5m. A landscape 'buffer' would be retained, and stretches of undeveloped green space, and existing mature tree and hedgerow planting supplemented. Jointly, the proposals would concentrate development on parts of the appeal site that are already influenced by built form and would retain and supplement natural boundaries and a landscape 'buffer'.
26. In my judgement, all of this, plus the detail that would come through reserved matters, would ensure the development would not appear as piecemeal but relative to the urban fringe, low on the hillside, and well contained and softened by mature vegetation. Additionally, the sensitive and visually prominent tracts of open land within Fields 3, 4 and 5 would now be secured as New Valley Park<sup>12</sup> in perpetuity, preventing their future development.
27. And yet, the development of up to 93 dwellings and associated infrastructure would inescapably cause an urban intrusion onto the appeal site, weakening its open, verdant and undeveloped character. There are factors that would mitigate the impact of the development, facilitating a successful assimilation in views from further afield, and increasingly so over the years. Inevitably, however, the scheme would push the city's urban fringe into the open countryside that is part of Exeter's Landscape Setting. The urban intrusion onto the appeal site would be unmistakable from nearby, as for example residential dwellings, Juniper Green, and Fields 3, 4 and 5.
28. I note the findings of the independent landscape architect in respect of CP16, and the Council's endorsement of that assessment. However, even if extremely localised and affecting a very small proportion of the area identified for protection, for the forgoing reasons I find some harm to the character and local distinctiveness of the hills to the north and north west would arise. I judge there would be conflict with CS Policy CP16 as a consequence. While not relied on by the Council, conflict with the spatial element of saved Policy LS1 also arises. Such policy conflicts must be considered against consistency with the Framework and other material considerations.

### *Open Space*

29. Juniper Green lies immediately to the south of the appeal site and is designated an Open Space within the ELP Proposals Map. Saved Policy L3 of the ELP only permits development on open space in certain circumstances, including when the loss of open space is outweighed by its replacement in the area by open space of at least equivalent recreational, community, ecological or amenity value (including, in particular, the provision and enhancement of equipped play

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<sup>12</sup> CD-PA22, CD-PA23, CD-PA24, CD-PA26

space). Similarly, paragraph 99 of the Framework seeks to ensure the loss [of existing open space] resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location<sup>13</sup>.

30. The latest design iteration has sought to reduce the impact of the site's southern access road on Juniper Green, realigning it further to the north-east away from the widest portion of the open space. Nevertheless, the road itself would bisect the currently uninterrupted and undeveloped Juniper Green, causing a quantitative loss of that open space. Moreover, the introduction of a vehicular route through the space would change the way it is currently enjoyed by residents, including necessitating extra vigilance for playing children and dog walkers, thereby having a qualitative as well as quantitative impact. However, the proposals would provide informal open spaces within the appeal site, including at its southern edge immediately adjacent to Juniper Green that would more than make up for the quantitative loss at Juniper Green due to the access road.
31. I accept the point that the additional open space within the site would be bisected by the new road. I also recognise that the proposals would change the nature of Juniper Green and the way the space is used by some residents. And it would be reasonable to expect existing users of Juniper Green to take some time to adapt to the new open space. However, I consider the proposals will ensure a large area of open space with separation from the road and passing vehicles and a logical physical linkage between Juniper Green and the compensatory open space. Furthermore, while landscaping is a reserved matter, the S106 Agreement would secure additional landscaping along the proposed new access road that, in my judgement, would reduce its visual impact and create a natural barrier to influence play and activities away from it.
32. Saved Policy L3 supports proposals, such as in this appeal scheme, which would include provision of equipped play space. The proposal would enable existing residents to access the proposed LAP and LEAP. Although it has been used by some residents for their recreation and enjoyment, the appeal site is private land with no formal rights of way across it and is not public open space. I do not consider that those currently using Juniper Green would be either unwilling or unable to use the open spaces within the appeal site. Even if they were, the open space provision at Juniper Green, with the supplementary space to the south of the appeal site, would be equal in a qualitative, as well as quantitative, sense to the existing provision. The appeal scheme would also offer enhanced access to open space provision for residents who live further up the hill and would enter off Celia Crescent. I therefore see no conflict between the proposals and saved Policy L3 of the ELP, nor paragraph 99 of the Framework.

### **Housing Land Supply (HLS) and The Planning Balance**

33. The proposal would not be in accordance with the development plan's location aspect of Saved Policy LS1 insofar as it seeks to avoid housing development within Exeter's Landscape Setting. However, this policy is not up-to-date and carries very little weight. Even if the proposed development would not be in accordance with the development plan, a significant material consideration is

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<sup>13</sup> Framework para 99 b)

the Framework's presumption in favour of sustainable development. The Council is unable to demonstrate a 5-yr supply of housing land. While the extent of the shortfall does not affect the operation of footnote 8<sup>14</sup> and the HLS agreed matters, a sizable gulf exists between the Council and Appellant's respective shortfall positions. The Council contends its HLS is 4.69 years, a shortfall of 213 homes; the Appellant, however, argues HLS is just 3.17 years<sup>15</sup>.

34. A number of disputed sites were discussed at the Inquiry, including sites with planning permission, where the onus is on the Appellant to provide clear evidence that homes will not be delivered within five years (Category A sites), as well as various sites with outline planning permission, where the onus is on the Council to provide clear evidence that housing completions will begin on site within five years (Category B sites). Additionally, two sites for 'co-living' units were discussed. I turn to these first.

#### *Co-living sites*

35. Ostensibly, co-living is a relatively new development model and a sui-generis use. Anecdotally, large metropolitan cities such as Manchester and Liverpool count co-living units on a one-for-one basis. However, there is no apparent national or local policy guidance, nor obvious local authority consensus on how co-living units should be counted in HLS figures.
36. The Harlequin Centre and the Ambulance Station are co-living developments in which co-living studios (271 and 133 respectively) have been counted towards the Council's HLS on a one-to-one basis. 107 bed-spaces in cluster flats at the Harlequin Centre are counted as 59 dwellings. Owing to the short-term nature of the accommodation they offer, the Appellant contends all dwellings from these sites should be discounted from the Council's supply; a reduction of 463. An alternative position is that a 1.8 ratio be applied to the co-living studios.
37. My impression is that the co-living studios at the Harlequin Centre and Ambulance Station would comprise small private living spaces with their own front door, kitchen and bathroom. Taking them to be similar to the co-living examples provided, the studio units would be supplemented with shared and fully equipped social and living areas<sup>16</sup>. It seems to me that the co-living studios at the Harlequin Centre and the Ambulance Station would provide smaller individual living quarters and less autonomy than more standard rented accommodation.
38. To my mind, the co-living offer could attract a range of persons beyond students, and for tenancy rates longer than three months. I therefore do not consider they warrant wholesale deduction from HLS figures. Yet, even if future occupiers were liable to pay Council Tax, the specific nature of the accommodation type makes co-living studios, unlike standard rented studio apartments, more akin to other communal living accommodation, such as provided by a House in Multiple Occupation (HMO). On this basis, it seems logical and reasonable that a similar ratio be applied. By my calculation, this equates to a reduction by 120 units at the Harlequin Centre and 59 at the Ambulance Station.

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<sup>14</sup> That the policies which are most important for determining the application should be considered as out-of-date

<sup>15</sup> CD-R1 p. 7

<sup>16</sup> CD-R3 Appendix E pp. 21 - 25

### *Category B sites*

39. The Planning Practice Guidance (PPG) gives examples of what evidence may demonstrate deliverability. The PPG is also clear that this should be done using the latest available evidence. The Council's approach has been to rely on responses to a standard pro-forma. The exercise may not be intended to obtain 'cast-iron certainty, but to take a realistic view'<sup>17</sup> and I accept the 'draft' watermark may be an error. However, more crucially, where pro-formas are undated, it casts doubt over whether the information is up-to-date. In the absence of a clear indication of who completed the form or their relationship to the development, I find the pro-formas deficient as evidence of a written agreement between Council and site developer confirming delivery intentions and timescales.
40. Land east of Cumberland Way gained outline consent for 80 dwellings. The site has been sold to a housing association and the Council has recently received a reserved matters pre-application and held a meeting. However, the Council had been assured that a reserved matters application would be submitted in 2022 and, by the time of the Inquiry mid-way through that year, one had not been submitted. Nor, as far as I understand, have pre-commencement or other conditions attached to the outline permission been discharged. This site may be similar to other greenfield developments where housing schemes have been delivered successfully, but the evidence available to me falls short of the requisite 'clear evidence' established in the PPG. Thus those 80 dwellings should be removed from the HLS figures.
41. A similar scenario applies at Land at Redhills, where no reserved applications have been made, no developer identified, and no written agreement exists between them and the Council. Indeed, the Council was unable to gain any response to its pro-forma. I do not agree that a Statement of Case for an appeal satisfies the test of clear evidence. Thus the 62 dwellings counted towards the Council's HLS should be deducted.
42. Although a reserved matters application for the site at Aldens Farm West was submitted in early 2022, there are outstanding objections, including in respect of flood risk and drainage. The Council suggested amended plans were expected to resolve these issues, but none were in at the time of the Inquiry and, once submitted, would be subject to consultation. I understand none of the pre-commencement or other conditions attached to the outline consent have been discharged. All of this, plus the absence of a written agreement with the developer, casts doubt over whether there is a realistic prospect that housing will be delivered on the site within five years. On this basis, I agree with the appellants that 96 dwellings be removed from the HLS figures.
43. Phase 2 at the Old Coal Yard site is yet to have reserved matters application approval, and timescales given by an agent in September 2021 are out of date. There is no written agreement between the Council and the developer, and while the site could be developed rapidly if modular homes were to be built, but I have seen no evidence of this. Phase 3 is subject to a full planning application for 89 dwellings, to be decided under delegated powers. However, at the time of the Inquiry, no planning officer report nor completed S106 agreement was available to support the Council's indication that there is an officer's resolution to grant permission, and the Appellant indicates the proposal is subject to

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<sup>17</sup> ID18 para 12

objection. I therefore find the Council's evidence does not reach the high bar of 'clear evidence' and so the 62 dwellings for each phase (124 in total) should not be counted.

44. The tilted balance is already in play, and the land supply circumstances before me are not comparable to those when the Pennsylvania Road Appeal<sup>18</sup> was decided. I am also not required to pinpoint a precise HLS figure. But, even if I were to accept the Council's position in respect of the 57 dwellings at Bricknell's Bungalow as well as all 376 Category A dwellings, it pushes the Appellant's figure up by some 433 dwellings but the Council's down by at least 541. Crucially, the above indicates that the shortfall is not as 'modest' as purported by the Council, but materially worse.

#### *Planning balance*

45. The Council's HLS position confirms that relevant policies for determination should be considered out-of-date in accordance with paragraph 11d) and footnote 8 of the Framework. I have noted conflict with the spatial element of saved Policy LS1, and localised harm to character and local distinctiveness would be contrary to CS Policy CP16. In light of this, I must consider the weight attributed to these conflicts and against material considerations, including the presumption in favour of sustainable development in the Framework.
46. There are key social and economic benefits associated with the provision of up to 93 dwellings. I attribute significant weight to the delivery of market housing in the context of a national policy objective to significantly boost the supply of homes and a less-than-modest HLS shortfall in Exeter, even if it is capable of being rectified in the short term. The proposal would also provide affordable dwellings at a full policy-compliant level and with a mix of dwellings that would contribute to the choice of homes in the City. Given the context of a demonstrably acute and persistent under-delivery of affordable housing<sup>19</sup>, the affordable housing the appeal scheme would realise carries substantial weight in its favour.
47. The provision of open space within the appeal site would be in mitigation and necessary to make the proposal acceptable in planning terms. However, the proposal would also secure Fields 3-5 in their entirety as Valley Park, formalising public access to them. This is a benefit that carries moderate weight in the scheme's favour.
48. In economic terms, jobs and spending would arise during the development's construction, and its future residents would contribute to the local economy. Furthermore, an existing bus service would be extended and enhanced, offering an improved choice of sustainable modes of travel, not just to future occupiers of the proposal, but also to existing local residents. This aspect of the proposal goes above and beyond the provision of opportunities to access a range of services and facilities by a range of sustainable modes and is a benefit to which I attribute moderate weight.
49. Highway works would also involve relocating on-street parking from the inside of a bend. However, as the volume of traffic on the existing road network would be increased, I attribute very little weight to this specific element of the

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<sup>18</sup> CD-A14

<sup>19</sup> Indicating just 6 affordable homes were provided in Exeter last year



scheme in the balance in its favour. The absence of harm otherwise in respect of highways or flood risk is a neutral factor that carries no weight either for or against the proposals. Landscaping, open space provision within the site, and financial contributions for off-site infrastructure would not carry any weight as benefits, rather I consider them to be necessary mitigation and neutral in the overall planning balance.

50. I am acutely aware of the strong opposition to the appeal scheme and have carefully considered any parallels with the Pennsylvania Road appeal decision<sup>20</sup>. However, there are significant differences in terms of my findings on HLS and the quantum of market and affordable housing being delivered against the shortfall.
51. I appreciate that the local community and EGG may be dismayed and frustrated by the outcome of this appeal, especially given their investment of time and personal effort in presenting evidence to the Inquiry. Ultimately, the thrust of government policy is to significantly boost the supply of homes and in this appeal a balance must be struck between the need for housing, the preservation of undeveloped green fields, the prevailing development plan and other material considerations. In this light, and notwithstanding development plan conflict, the adverse impacts of granting planning permission would not be of such magnitude that they significantly and demonstrably outweigh the benefits.

#### *UU and S106 Agreement*

52. Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 requires that, if planning obligations contained in s106 Agreements and UUs are to be taken into account in the granting of planning permission, those obligations must be necessary, directly related, and fairly and reasonably related in scale and kind to the development in question.
53. The Royal Devon University Healthcare NHS Foundation Trust (NHS Foundation Trust) has submitted evidence in support of a request for financial contributions to provide additional healthcare services to meet patient demand in light of increasingly severe funding and capacity issues. However, the evidence before me does not indicate the Council agrees in respect of the methodology and policy support, nor precisely what those contributions will be spent on and how they will relate to the development specifically, nor that the methodology avoids the potential lag between consent and occupation. The evidence before me does not provide sufficient justification that the health care service contributions meet the Regulation 122 tests. Accordingly, I have afforded no weight to this element of the UU and take no account of them in the overall planning balance.
54. Other than in respect of the NHS Foundation Trust contributions, the UU planning obligations and financial contributions are supported by the CIL compliance statement<sup>21</sup>. I am satisfied those obligations would secure 35% of the proposed dwellings as affordable housing units, 70% of which would be Social Rented and the remainder Intermediate; provision of open space (LEP and LEAP) and the Valley Park, their management and maintenance of the Valley Park; formal and informal Open Space including SUDS; a Travel Plan as

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<sup>20</sup> CD-A14

<sup>21</sup> CD-ID14

necessary to render the proposal acceptable in planning terms. I am also satisfied that the financial contributions towards youth facilities, GP Surgery, secondary education, walking and cycling, bus service, travel plan and TRO are proportional to the scale of the development and justified in terms of mitigating the potential effects of the development on local services and facilities. I have taken these into account in reaching my decision.

55. The s106 Agreement would secure £15,000 to enable ECC to create a 'landscaped buffer' on land outside that within the appellant's control along Juniper Green. I consider such a contribution necessary to ensure suitable mitigation for loss of open space and creation of a safe and attractive environment at Juniper Green. The contribution would therefore be proportionate, directly related, and fairly and reasonably related in scale and kind to the development in question. I have taken it into account in reaching my decision.

### **Other Matters**

56. Interested parties have raised concerns relating to additional vehicular movements, increased pressures on the local road network and parking. Concerns over the potential impact on living conditions, through loss of privacy and outlook, have been put to me, as have the potential for a legal covenant to restrict any development on Juniper Green. Points were also made regarding wider environmental and biodiversity impacts associated with the provision of housing on green fields in the context of a global climate crisis.
57. Interested parties have raised additional concerns, including in respect of highway safety, the practicalities of the new bus route and the impacts on the highway network and parking; biodiversity and ecological impacts; and harm to local residents' living conditions through disturbance and loss of privacy. However, these matters have been assessed by the Council's officers, the Highway Authority, and independent professionals, none of whom have raised any objection. Consequently, I see no reason to doubt or deviate from their professional judgement. In the absence of any written evidence, the potential for a covenant is a matter of conjecture. Even if one did exist, it would be a legal matter that sits outside of my consideration of the planning merits of the appeal.
58. Part of the appeal site, notably the vegetation north west of Spruce Close and to the field to the north west of Celia Crescent, is covered by a local nature conservation designation, and the latter is also designated as a Valley Park. The parameters plan shows movement by way of public foot access through Fields 3, 4 and 5 as part of the New Valley Park. However, it is supposition that any formal hard-surfaced routes would be created or that they would make any material harm to Landscape Setting. Rather, the proposals would be formalising public accessibility to those fields, which I understand has historically been assumed without express landowner consent.
59. I do not wish to minimize the threat of climate change, including through unsustainable housing development and the loss of green fields. However, I have found the appeal site is located where future occupiers would have a choice of travel by sustainable modes, and there would be improved choice through the extension of the bus service to existing streets. Additionally, the detailed energy performance and construction of the proposed dwellings would be dealt with as part of the reserved matters. Detailed considerations relating

to landscape, layout, scale and appearance will also be considered at the reserved matters stage. Subject to these, along with the executed legal agreements and conditions I have imposed, there is no reason to doubt that a high-quality, safe and sustainable scheme would be delivered. I therefore find no reason to refuse the development on the basis of these other matters raised. My decision stems from the planning merits and site-specific circumstances before me. Allowing this appeal therefore does not offer a precedent for further housing development at Exeter's Landscape Setting, nor would it apply further development pressure on green fields.

### **Conditions**

60. Various suggested conditions were discussed at the Inquiry and subsequently refined and agreed (with three exceptions) with the Appellant. I have considered these against the six tests set out in paragraph 55 of the Framework. In some instances, while I have adopted the suggested conditions, I have made minor changes to wording to add clarity as appropriate.
61. Conditions setting out the reserved matters details, timescales for their approval and the commencement of the development, and the list of approved plans, are all required in the interests of providing planning certainty and clarity.
62. The appeal site falls within an area identified by Exeter Airport as requiring assessment of a development proposal to potentially conflict with its Instrument Flight Procedure (IFP). While the assessment extends beyond just building heights, matters of landscaping and layout, as well as scale, are part of the reserved matters. Therefore, the detailed plans that come forward with the reserved matters will be consulted on, subject to Exeter Airport's own IFP as required. I therefore do not find it would be reasonable or necessary to impose an IFP condition.
63. A condition requiring a written scheme of archaeological investigation is necessary to identify the site's archaeological potential and record/publish results in the interests of the historic environment. Matters of drainage and contamination are outside the scope of the reserved matters and so conditions requiring details of surface water drainage and contamination are required in the interests of managing flood risk and pollution.
64. Conditions requiring a Tree Protection Plan and Arboricultural Method Statement, as well as details in respect of nesting birds and bat boxes and dark skies, Ecological Mitigation and Enhancement, as well as a Landscape and Ecology management Plan are all required in the interests of biodiversity and ecology. A condition requiring the details of rapid charge electric vehicle charging points and cycle parking provision, as well as requiring dwellings be constructed in accordance with Energy Performance Standards, are necessary in the interests of mitigating climate change and contributing to sustainable development.
65. The conditions requiring details of a 'wearing course', a vehicle/pedestrian/cycle route, as well as implementation of access arrangements, link roads and car parking within the site are all required in the interests of highway safety and the efficient operation of the local highway network. Safeguarding the living conditions of future residents in respect of air quality, noise and the disturbance associated with the development, as well as

ensuring waste and pollution arising from the development are appropriately dealt with justifies the condition for a Construction and Environmental Management Plan.

### **Conclusion**

66. In view of the absence of a 5-year housing land supply and the engagement of the 'tilted balance', in my judgement, the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of the proposed development.
67. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

*H Porter*

INSPECTOR

### **APPEARANCES**

#### FOR THE LOCAL PLANNING AUTHORITY

Ms Kate Olley of Counsel

Instructed by Mr Simon Curran LLB

She called:

Mr Simon Curran LLB

Service Lead, Legal Services ECC

Ms Katharine Smith

Principal Project Manager, Local Plans Team ECC

Mr Robin Upton MRTPI

Director, Tetra Tech Planning

#### FOR EXETER GREENSPACE GROUP:

Ms Namia Allcock

Exeter Greenspace Group

She called:

Reverend Steven Hanna

Dr Gillian Baker

Mr Michael Bennett

#### FOR THE APPELLANT:

Mr Zack Simons of Counsel

Instructed by Dr Thomas Rocke

He called:

Dr Thomas Roche BA (Hons) PHD BTP (DIST) MRTPI	Roche Associates
Mr Ben Pycroft BA (Hons) Dip TP MRTPI	Emery Planning
Mr James Stacey BA (Hons) Dip TP MRTPI	Tetlow King Planning
Mr Nick Bunn BA (Hons) PG Dip MA CMLI	Redbay Design Landscape Consultants
Ms Caroline Waller	Clarke Willmott LLP

**INTERESTED PARTIES:**

Dr Peter Stott, local resident in opposition

Mr Dawkins, local resident in opposition

**Annex 1**

**DOCUMENTS SUBMITTED AT THE INQUIRY**

- ID1 Appellant Opening Statement
- ID2 LPA Opening Statement
- ID3 Rule 6 (EGG) Opening Statement
- ID4 Mr Dawkins (Interested Party) Summary Statement of Opposition
- ID5 Dr Peter Stott (Interested Party) Summary Statement of Opposition
- ID6 A3 Hard copies of Appellant Photographic Evidence
- ID7 A3 Hard copies of Appendix II Rule 6 Viewpoints Rev A
- ID8 Suggested Draft Conditions (Version 1)
- ID9 Suggested Draft Conditions (Version 2)
- ID10 BSI Biodiversity Code of Practice
- ID11 Cover email (Robin Upton) 6.7.22 explaining wording of suggested LEMP condition 27
- ID12 Suggest Draft Conditions (Version 3 – including Rule 6 (EGG) comments)
- ID13 Schedule of Drawings for Approval
- ID14 Cover email (Tom Roche) 6.7.22 confirming drawings for which approval is sought as at suggested condition 3
- ID15 Appeal Decision APP/Y1110/W/21/3278148 7 February 2022 (Land at Redhills, Exwick Lane, Exeter)
- ID16 Appellant's written costs (full) application
- ID17 Hard copy Suggested Draft Conditions (Version 3)
- ID18 Closing Submissions on Behalf of Exeter City Council
- ID19 Council written costs rebuttal
- ID20 Rule 6 (EGG) Closing Submissions
- ID21 Appellant's Closing Submissions

## **Annex 2**

### **SCHEDULE OF CONDITIONS**

- 1) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan (1000 Rev E); Parameter Plan Land Use (1150 Rev F); Parameter Plan Density (1151 Rev F); Parameter Plan Scale (1152 Rev F); Parameter Plan Access and Movement (1153 Rev F); Parameter Plan Open Space Provision (1154 Rev G) Parameter Plan Landscape Strategy (1155 Rev A); Preliminary Road Design Celia Crescent Access (04268-A-SK110-P4); Spruce Close Access and Parking (04268- A-SK124-P4 ); Spruce Close Bus Stop Locations (04268-A-SK125-P4).
- 5) Concurrent with the submission of the reserved matters, a Lighting Design Strategy shall have been submitted to and approved in writing by the Local Planning Authority. The Lighting Design Strategy shall include the following details:
  - a) A plan indicating where 'dark areas' will be maintained on the development site;
  - b) Assessment of light levels arising from the development (including from building, vehicles, street lighting and any other external lighting sources)
  - c) Plans annotated with isolines to show predicted illuminance and light spill in relation to the 'dark areas';
  - d) Evidence to demonstrate light spillage arising from the development shall not exceed 0.5lux within 'dark areas' and be maintained in perpetuity.

The development shall be carried out and maintained in accordance with the Lighting Design Strategy, and thereafter be retained as approved.

- 6) No demolition/development shall take place within the site until a Written Scheme of Archaeological Investigation has been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions and:
  - a) the programme and methodology of site investigation and recording;
  - b) the programme for post investigation assessment;
  - c) the provision to be made for analysis of the site investigation and recording;

- d) the provision to be made for publication and dissemination of the analysis and records of the site investigation;
  - e) the provision to be made for archive deposition of the analysis and records of the site investigation;
  - f) the nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.
- 7) Concurrent with the submission of the reserved matters, details of surface water drainage system shall be submitted to and approved in writing by the local planning authority. The details shall include:
- a) a programme of soakaway and groundwater tests that have been carried out in accordance with BRE 365, and the results submitted to and approved in writing by the local planning authority;
  - b) a detailed drainage design based upon the Flood Risk Assessment (Land off Spruce Close Exeter 0777 Rev C, 18 June 2021) and the soakaway and groundwater test submitted in relation to a);
  - c) a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by the relevant public authority or statutory undertaker (South West Water) and any other arrangements to secure the operation of the scheme throughout its lifetime;
  - d) the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

No dwelling hereby permitted shall be occupied until the works associated with the surface water drainage system have been implemented in accordance with the approved details and shall thereafter be managed and maintained in accordance with those approved details.

- 8) No development shall take place, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the local planning authority. The CEMP shall provide for:
- a) the provision of site accesses haul routes, parking of vehicles for site operatives and visitors;
  - b) loading and unloading of plant and materials;
  - c) storage of plant, materials or other equipment used in constructing the development;
  - d) the erection and maintenance of security hoarding;
  - e) the supply of water for damping down and wheel washing;
  - f) wheel washing protocols and facilities;
  - g) a timetable of dust generating activities and details of measures to control the emission of dust and dirt during construction (include prohibiting burning of any materials or vegetation on site);

- h) a Waste Audit Statement for recycling/disposing of waste resulting from demolition and construction works in accordance with the waste audit template in Devon County Council's Waste Management and Infrastructure SPD
- i) measures to minimise noise/vibration disturbance to nearby residents from plant and machinery
- j) delivery, site clearance, piling and construction working hours;
- k) Detailed proposals for the management of surface water and silt run-off from the site during construction
- l) Air quality monitoring objectives and protocols, including site log book and procedure by which to notify the Environment and Safety Services Department of any air quality objectives being exceeded or other exceptional incidents;
- m) the name, role and contact details of the authorised personnel responsible on site for fulfilling the CEMP including the Air Quality Monitoring Log Book during the course of construction works

The approved CEMP shall be adhered to throughout the construction period for the development.

- 9) No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency - Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.
- 10) In the event of there being evidence of contamination as the development proceeds, the development shall cease pending the carrying out of an investigation of the extent and nature of contamination, the risks that it poses, together with the preparation of a remediation strategy, that shall be submitted to and approved in writing by the local planning authority. The development shall subsequently be carried out in accordance with the approved details.
- 11) No site vegetation clearance or works to trees or hedgerows on site shall take place until a scheme for the protection of trees and hedgerows has been submitted to and approved in writing by the local planning authority. The scheme shall include:
  - a) A Tree Protection Plan showing the position of every tree or hedgerow on the site and on land adjacent to the site that could influence or be affected by the development, indicating which trees are to be removed; any proposed pruning, felling or other work;
  - b) An Arboricultural Method Statement in relation to every existing tree or hedgerow identified to be retained on the plan referred to in a) above, details of any proposed alterations to existing ground levels, and of the position of any proposed excavation,



that might affect the root protection area; and, all appropriate tree or hedgerow protection measures required before and during the course of development (in accordance with paragraph 5.5 and 6.1 of British Standard BS 5837) (or in an equivalent British Standard if replaced);

- c) A Nesting Bird Method Statement that shall include timetable for carrying out works to trees outside bird nesting season, protocols in the event nesting birds are found or suspected during works, and the name and contact details of a suitably qualified ecologist overseeing those works.

The vegetation clearance or works to trees or hedgerows shall subsequently be carried out in accordance with the approved details.

- 12) The application for approval of landscaping as a reserved matter shall include the following details:
  - a) A full specification of all proposed tree and hedgerow planting to be approved in writing by the local planning authority. The specification shall include the quantity, size, species, and positions or density of all trees to be planted, how they will be planted and protected and the proposed time of planting. The tree planting shall be carried out in accordance with the approved specification;
  - b) Details of soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate;
  - c) An Ecological Mitigation and Enhancement Strategy (EMES) for the operational phase of the development that shall have been prepared in accordance with BS 42020:2013 ('Biodiversity – Code of practice for planning and development'), or any superseding British Standard, and take into account the mitigation and enhancement measures in section 5.0 of the submitted Ecological Impact Assessment.

The EMES and landscaping works shall be implemented as approved.

- 13) No development shall take place on any phase of the development until a Landscape and Ecology Implementation and Management Plan (LEMP) for that phase has been submitted to and approved in writing by the local planning authority. The LEMP shall include a timetable for implementation of the landscaping and ecology work and details of the management regime. The LEMP shall be implemented in accordance with the approved details.
- 14) Concurrent with the reserved matters application details of a Standard Assessment Procedure (SAP) calculation of the dwellings hereby approved, which demonstrates that a reduction in CO<sub>2</sub> emissions necessary to meet the requirements of Part L of the 2013 or Part L of the 2022 Building Regulations as appropriate. The measures necessary to achieve the CO<sub>2</sub> emissions saving shall thereafter be implemented on site and within 3 months of completion of any dwelling hereby approved, an

'as-built' SAP calculation report from a suitably qualified consultant submitted to an approved in writing by the local planning authority.

- 15) Concurrent with the reserved matters application details of provisions for nesting birds and roosting bats within the development hereby approved shall be submitted to and approved in writing by the local planning authority. Those details shall show locations of built-in next/roost sites across the appeal site and demonstrate a minimum overall average ratio of 1 built-in next/roost site per dwelling. The provisions for nesting birds and roosting bats shall be implemented in accordance with the approved details and maintained thereafter.

The provisions for nesting birds and roosting bats shall subsequently be carried out in accordance with the approved details and retained thereafter.

- 16) Concurrent with the reserved matters application details and specification of a vehicular/pedestrian/cycle route from Celia Crescent to Spruce Close/Pinwood Meadow Drive shall have been submitted to and approved in writing by the local planning authority.
- 17) Concurrent with the reserved matters application, details, specification and a timetable for application of the 'wearing course' to be applied to the estate roads and access arrangements as per the Preliminary Road Design Celia Crescent Access (04268-A-SK110-P4) shall be submitted to and approved in writing by the local planning authority. The 'wearing course' shall be constructed in accordance with the approved timings and details and maintained thereafter.
- 18) Concurrent with the reserved matters application, details of rapid charge electric vehicle charging points specification within the development hereby approved shall be submitted to and approved in writing by the local planning authority. Those details shall show locations of rapid charge points and demonstrate a provision of 1 per 10 spaces of unallocated parking and 1 per 10 dwellings with allocated parking (subject to network capacity). The rapid charge points shall be provided in accordance with the approved details and maintained (or subsequently upgraded) thereafter.
- 19) Concurrent with the reserved matters application, details of cycle parking provision within the development hereby approved shall be submitted to and approved in writing by the local planning authority. Those details shall demonstrate the cycle parking provision satisfies the design and minimum parking standards guidance set out in the Sustainable Transport SPD. The cycle parking provision shall be provided in accordance with the approved details and maintained thereafter.
- 20) The application for approval of layout as a reserved matter shall include details of car parking provision within the site. No dwelling hereby approved shall be occupied until the carparking for the dwelling and access to it has been provided and made available for use in accordance with the approved details and maintained thereafter available for the purpose of carparking.
- 21) Notwithstanding condition 4, not more than 50 of the dwellings hereby approved shall be occupied until the access arrangements on Spruce Close/Pinwood Meadow Drive and link road through Juniper Green open

space as per Spruce Close Access and Parking (04268- A-SK124-P4) shall have been provided and laid out. The access arrangements and link road shall be maintained thereafter.

- 22) Notwithstanding condition 4, not more than 50 of the dwellings hereby approved shall be occupied until the vehicular/pedestrian/cycle route from Celia Crescent to Spruce Close/Pinwood Meadow Drive has been provided and laid out in accordance with the details required by Condition 16 and 17. The vehicular/pedestrian/cycle route shall be maintained thereafter.





## Appeal Decision

Inquiry opened on 13 April 2021

Site visits made on 9 April and 11 June 2021

**by Martin Whitehead LLB BSc(Hons) CEng MICE**

**an Inspector appointed by the Secretary of State**

**Decision date: 10<sup>th</sup> August 2021**

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**Appeal Ref: APP/J4423/W/20/3262600**

**Former Loxley Works, Storrs Bridge Lane, Sheffield, S6 6SX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Patrick Properties Strategic Land Ltd against the decision of Sheffield City Council.
  - The application Ref 20/01301/OUT, dated 17 April 2020, was refused by notice dated 17 September 2020.
  - The development proposed is a Hybrid Application for change of use of existing buildings to be retained, altered vehicular access from Loxley Road with secondary public transport access from Rowell Lane and associated works with outline approval (with all other matters reserved) for demolition of existing buildings and structures, provision of a residential led mixed-use development that will deliver up to 300 dwellings, reinstatement works, site remediation, green infrastructure, landscaping and associated infrastructure.
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### Decision

1. The appeal is dismissed.

### Preliminary and Procedural Matters

2. The application was submitted in outline form with all matters of detail, except access, reserved for later consideration with the following description: *'demolition of existing on-site buildings and structures, new and enhanced community woodland and the construction of a residential-led mixed-use development comprising residential development, elderly persons accommodation, self-build plots, new and enhanced community infrastructure, new and enhanced landscaping and public realm; vehicular access roads, bus gate and parking areas; accommodation and reinstatement works to retained buildings; site remediation and other associated works'*. However, at the time of the determination of the application, the description had been amended to that given in the above box. I have determined this appeal based on the amended description for the development proposed.
3. I carried out an accompanied site visit on 9 April before opening the Inquiry on 13 April. The Inquiry sat for 11 days on 13 to 16 April, 19 to 21 April, 23 April and 7 to 10 June, closing on 10 June 2021. I carried out a further accompanied site visit on 11 June.
4. Following the close of the Inquiry I have been provided with an engrossed Section 106 Agreement, dated 17 June 2021. The obligations in the Agreement would secure on site affordable housing consisting of 10% of the

gross internal floor area of the dwellings; the provision of a public open space scheme to include maintenance and management; the provision of a Sustainable Drainage Scheme (SuDS) and management plan; financial contributions towards a bus service; and the provision of a community hub, including a convenience store. Having considered the information provided by the Council, including the Community Infrastructure Levy Regulations (CIL) compliance statement, I am satisfied that all these provisions would be directly related, and would be fairly and reasonably related in scale and kind, to the development. Based on this, I find that all the planning obligations would be necessary to mitigate the effects of the development on local facilities and services and they meet the tests in CIL Regulation 122. I have therefore taken them into account in my determination of this appeal.

5. The government published on 21 July 2021 an update to its National Planning Policy Framework (2021 Framework) which replaces the previous version of the Framework published in February 2019. It sets out the government's latest planning policies for England and how they are expected to be applied. I have used the paragraph numbers in the 2021 Framework that relate to those paragraphs referred to in the 2019 version and have considered the amendments made to the relevant paragraphs in the 2021 Framework together with relevant additional paragraphs referred to by the main parties in their follow up comments.

### **Main Issues**

6. The main issues are whether the Council can demonstrate a 5-year housing land supply; whether the proposal would constitute inappropriate development for the purposes of Section 13 of the Framework; its effect on the openness of the Green Belt and the purposes of including land in the Green Belt; its effect on the character and appearance of the site and the surrounding area; its effect on the ecology and biodiversity of the surrounding area; its accessibility by means other than the car; its effect on the risk from flooding; and, if it is inappropriate development, whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

### **Reasons**

7. The appeal site consists of an irregular shaped area of land stretching along the northern and southern banks of the River Loxley, situated south of Loxley Road (B6077), north west of Sheffield and close to the eastern boundary of the Peak District. It is about 26.9 hectares (ha) in area and is accessed from Storrs Bridge Lane in the west, and from a farm track off Rowell Lane in the east. The site contains a variety of semi derelict buildings and structures, most of which are vacant and some of which are substantial. The main former use, as the Hepworth Refractory site, was a heavy industrial use, which I understand ceased in the 1990s. Those buildings and areas of hardstanding within the site boundary that are currently in use are mainly in the western part of the site and include a variety of businesses and a terrace of 5 dwellings.
8. The appellant has provided illustrative masterplans, the latest of which was submitted in August 2020 and was considered by the Council at its Committee. This forms the basis of the appeal proposal and I have taken it into account in my consideration of this appeal, together with a Design Code that the appellant

has developed. It identifies that the appeal proposal would include a new community hub to provide workspaces. Within this community hub, the proposal indicates that there would be the provision of a local convenience store, together with a heritage centre/museum to portray the site's industrial history and heritage, and a cycle hub facility. In addition, the proposal would provide leisure facilities such as the existing bowling green, walking routes across the site and new community open space.

9. The Council's development plan includes the Core Strategy, which was adopted in 2009, and the saved policies of the Unitary Development Plan (UDP), which was adopted in 1998. Whilst these documents pre-date the Framework, paragraph 219 of the 2021 Framework states that existing policies in a development plan should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. It advises that due weight should be given to them, according to their degree of consistency with the Framework. The National Planning Practice Guidance (NPPG) states that '*policies age at different rates according to local circumstances and a plan does not become out-of-date automatically after 5 years*', and that '*due weight should be given to relevant policies in existing plans according to their consistency with the National Planning Policy Framework.*'

### **Housing Land Supply**

10. At the Inquiry, the Council reported a 5.4-year supply of housing land, as set out in its '5-Year Housing Land Supply Monitoring Report December 2020'. This is based on a housing requirement, utilising the Standard Method that was applicable at that time, of 2,131 dwellings per annum (dpa) plus a 5% buffer resulting in a total 5-year requirement of 11,188 dwellings. The Council has claimed a net supply of 12,131 as at 1 April 2020, which has resulted in a published supply of 5.4 years.
11. Under paragraph 75 of the 2021 Framework, a 5-year supply of deliverable housing sites, with the appropriate buffer, can be demonstrated where it has been established in a recently adopted plan, or in a subsequent annual position statement. There is no recently adopted plan and the Council has not adopted the process given in this paragraph, which includes the annual position statement needing to have '*been considered by the Secretary of State*'. Therefore, the Council's December 2020 Monitoring Report needs to be appraised in relation to this appeal.
12. Following a critical appraisal of the Council's recently published land supply, the appellant has argued that a realistic deliverable supply is 4.5 years. In addition to deductions for undeliverable housing sites, the appellant has removed student cluster flats from the calculation, which it claims results in a land supply of 3.5 years.
13. The NPPG explains 'Step 1' of the standard methodology as the 10-year period being 10 consecutive years '*with the current year being used as the starting point*'. Taking account of this, the base year for the requirement for this appeal should be 2021. As such, I agree with the appellant that the housing requirement should be determined using the current period of 2021 to 2031 with the affordability ratio adjusted to 5.79, which is an increase from 2019.

14. In terms of supply, at the Inquiry the appellant and the Council produced a 'Summary Sheet' in which the parties set out their position in respect of evidence that the appellant had gathered on some of the sites in the supply. In this Summary Sheet the evidence has been classified either as 'Type 1: Evidence that could have been gained as at 1 April 2020' or 'Type 2: Evidence that could not have been gained as at 1 April 2020'.
15. Of the 32 sites that have been listed, 16 of them were agreed as being within 'Type 1', which the appellant has calculated as representing 1,051 dwellings. However, at the Inquiry the Council disagreed with the appellant that the evidence would suggest a change in the contribution that these sites would make to the 5-year housing land supply. Having examined the evidence provided by the appellant and that given at the Inquiry, I have made my own conclusions on the deliverability of the listed sites.
16. In terms of those sites with full planning permission, to be excluded it is necessary for there to be clear evidence that they would not be delivered in the 5-year period. The appellant has indicated funding issues for the HSBC Hoyle Street site, with a 343-dwelling contribution, and Doncaster Street site, with a 222-dwelling contribution, but the evidence is not clear enough to remove them from the supply. However, the evidence regarding the Pennine Centre, with a 174-dwelling contribution, is clear that it is no longer being developed for residential purposes and so it should not be included in the supply.
17. Other sites with full planning permission that the Council has accepted are unlikely to be delivered include Castle Square, with 22 dwellings, and Crabtree Road, with 14 dwellings. Also included as sites that the Council has accepted the appellant's evidence regarding the likelihood of their deliverability are 50 High Street, with 101 dwellings, and Heritage Park, with 35 dwellings.
18. The sites on the brownfield register without planning permission require clear evidence of housing completions on the site within the 5-year period. These include 213 dwellings at Newstead Estate, which I am not satisfied has sufficient clear evidence to support its delivery in the 5-years, even though the Council has indicated that it would be delivered through its housing stock increase programme.
19. I therefore accept that some of the 'Type 1 sites' that have been agreed with the Council should be removed from the supply, as the Council has not been able to demonstrate their deliverability. Also, as it is the responsibility of the Council to demonstrate a 5-year housing land supply, some of the Type 2 sites should also be removed from the supply. However, I am not convinced that the evidence presented is sufficient to justify the removal of all the sites mentioned by the appellant on grounds of deliverability within the 5 years.
20. The Council has included 2,763 units of student accommodation within the 5-year housing land supply. In this respect, the NPPG accepts that all student accommodation can in principle count towards contributing to an authority's housing land supply, but this is based on '*the amount of accommodation that new student housing releases in the wider housing market*' and/or '*the extent to which it allows general market housing to remain in such use, rather than being converted for use as student accommodation*'. The Council has not demonstrated that it has carried out an analysis to determine these factors but has just added the full amount of student accommodation to the supply.



21. Whilst the above matters would significantly reduce the housing supply that the Council has claimed, I need to also take account of the changes to the Standard Method, which took effect on 16 June 2021 following the 6-month transition period. This means that, for decision making purposes, Sheffield's housing requirement is subject to the cities and urban centres uplift of 35% under Step 4 of a four-step procedure for calculating local housing need, set by the NPPG. The 35% uplift increases the housing requirement to 2,923 dpa using the 2021 base, which results in a 5-year requirement of 15,345 dwellings, taking account of the 5% buffer. The Council has provided insufficient evidence to justify why it should not apply the cities and urban centres uplift after the 16 June 2021 date. Therefore, when applying the 35% uplift to the housing requirement, the Council is unable to demonstrate a 5-year housing land supply, even based on its own housing supply figures.
22. Based on the above, I find on this main issue that the Council has included some housing within its 2020 Monitoring Report that the most recent evidence shows is no longer deliverable within 5 years and has included student accommodation that requires evidence to justify its inclusion. In addition, the Council should now take on board the 35% uplift to its requirement, introduced in changes to the Standard Method. Taken together, this would reduce the Council's housing land supply to significantly below its 5-year housing requirement. Therefore, I conclude on this main issue that, for the purposes of this appeal, the Council cannot demonstrate a 5-year housing land supply.

### ***Whether Inappropriate Development***

23. The site is within the open countryside and lies wholly within the Green Belt as defined by the UDP. UDP Policy relating to the Green Belt comprises GE1, GE2, GE3, GE4 and GE5.
24. Policy GE1, referring to the purposes of the Green Belt, and Policy GE3, regarding new building in the Green Belt, are clearly based on the superseded planning policy guidance note PPG2 (Revised) Green Belts 1995, which is referred to in the margin of the UDP. Whilst both these policies have similar objectives to those of the Framework, they are specifically inconsistent with paragraph 149(g) of the 2021 Framework, which refers to the redevelopment of Previously Developed Land (PDL) as one of the exceptions to new buildings being inappropriate development in the Green Belt, and, in terms of the determination of this appeal, with the Framework as a whole. I accord them limited weight as a result.
25. Policy GE2 seeks to maintain and enhance areas with generally high landscape value and improve poor landscapes in priority areas. Policy GE4 calls for the scale and character of development in the Green Belt to be in keeping with the area and, wherever possible, conserve and enhance the landscape and natural environment. Policy GE5, which is regarding housing development in the Green Belt, is not consistent with the Framework in that it does not reflect paragraph 149(g) and accordingly I give it limited weight.
26. Core Strategy Policy CS71 is regarding the protection of the Green Belt but does not specifically refer to development proposals within the Green Belt, being more concerned with maintaining the Green Belt boundaries. As such, I consider that it is not relevant to the determination of this appeal. As a result of the most important Green Belt policies in the development plan being

inconsistent with the Framework, I have proceeded to determine this appeal with reference to the Framework.

27. Paragraph 147 of the 2021 Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings in the Green Belt is classified as 'inappropriate' save for those falling within the closed list of categories at paragraph 149 of the 2021 Framework. Part (g) of that paragraph, which the main parties agree is relevant to this case, relates to development involving the partial or complete redevelopment of PDL.
28. Two buildings proposed for retention and conversion for new uses do not comprise new buildings and therefore fall outside the definition of inappropriate development. However, all the housing would comprise new buildings and it therefore needs to be determined whether this represents inappropriate development. Section (g) of paragraph 149 gives one of the exceptions as being '*limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings)*'. These must be shown to not have a greater impact on the openness of the Green Belt than the existing development; or to not cause substantial harm to the openness of the Green Belt where the development would reuse PDL and contribute to meeting an identified affordable housing need.
29. The reuse of PDL is encouraged by government policy, and paragraph 119 of the 2021 Framework seeks to prioritise development on previously developed sites. The Glossary to the Framework defines PDL as: '*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.*' It states that exclusions from this definition include: '*land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*'
30. Regarding the above definition, the Council has accepted that all the existing buildings on the site are properly classified as PDL and none are considered to have 'blended in' with the landscape. At my site visit I observed that the 'blended in' areas include those that are internal to the site, some of which are sandwiched between areas that are accepted by the Council to be PDL and others between the buildings and the surrounding woodland. Also, some of the 'blended in' land lies in the extreme north west of the site and is sandwiched between the existing substantial industrial buildings within the appeal site and the Yorkshire Water treatment works.
31. In terms of 'curtilage', to determine what is included requires a specific assessment based on a number of factors<sup>1</sup>. The appellant has not provided any assessment of curtilage or addressed the relevant test or factors. Therefore, I have not based my judgement of the extent of PDL on whether the undeveloped land falls within the curtilage of specific buildings.
32. Despite some of the proposed new buildings being shown to be on land that I consider has 'blended in' with the surrounding landscape, the buildings would mainly be located on land currently occupied by buildings or hardstanding that

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<sup>1</sup> R (oao Hampshire CC v Blackbushe Airport Ltd [2021 EWCA Civ 389 ])

has not 'blended in'. On this basis, I am satisfied that the proposal comprises development involving the partial or complete redevelopment of PDL, as referred to in paragraph 149(g) of the 2021 Framework.

33. In looking at the second limb of paragraph 149(g), I have first examined whether the appeal proposals would '*contribute to meeting an identified affordable housing need*'. In this respect, the Council's 2013 Strategic Housing Market Assessment (SHMA) identified the need for 725 affordable housing units per annum in Sheffield. A calculation of the shortfall in affordable homes assessed it as 902 units per annum, assuming that the backlog of housing need would be cleared over a 5-year period. Based on these figures, I am satisfied that there is an identified affordable housing need within Sheffield.
34. The appeal proposal would comply with the development plan policy to provide 10% of the gross internal floor area as affordable housing, which would result in about 30 new affordable homes being provided. The Framework does not quantify the contribution to affordable housing, and I have not been referred to any guidance that specifies a level of contribution. As such, I find that the proposal would meet this part of the second limb to paragraph 149(g) in that it would contribute to meeting an identified affordable housing need.
35. To determine whether this exception to new buildings being inappropriate development in the Green Belt is met, it is necessary to examine the impact on openness.

#### *Openness*

36. In determining the nature and extent of impacts on Green Belt openness it is necessary to assess both spatial and visual impacts. The appellant contends that such impacts should be assessed against a 'fall-back' position. I consider the fall-back position to be one of general tranquillity with most of the buildings being vacant and unlikely to be brought back into use.
37. The spatial dimension of openness is principally informed by consideration of the extent of existing development within a site and a comparison with how this would change if a redevelopment proposal was implemented. A recent survey carried out on behalf of the appellant has identified the volume of the existing buildings. The illustrative masterplan and access and land use parameters plan gives the figures for the proposed development as a 52% reduction in the footprint of buildings from 30,332sqm to 14,506sqm; a 43% reduction in the volume of buildings from 196,297cum to 112,173cum; a 24% reduction in the area of hardstanding on the site from 86,482sqm to 65,650sqm; and a reduction in the maximum building height on the site from 15m to 12m.
38. Although there are large scale buildings on the site, some of them are open-sided and weathered, and most of the buildings are not in use. I consider that parts of the hardstanding have 'blended in' to the landscape and some parts of the existing buildings are screened from view due to the steep sides of the valley, the extent of the vegetation and the tree cover. In these circumstances, a statistical analysis of footprint and volume does not reflect the true resulting change in impact on openness due to the proposed development.
39. In visual or perceived terms, the openness of the Green Belt derives from an absence of built development. I observed at my site visits that the surrounding

- woodland and vegetation that has grown up between the existing buildings provide screening, and this would probably still be the case during the winter months. As such, long distance views of the site from Acorns Hill, Loxley Road, Myers Lane, on the ridge to the north of Loxley, and public footpaths to the south of the site are mainly of rooflines between large expanses of green vegetation. In close range views, including from Storrs Bridge Lane, the bulk of the existing buildings is noticeable through the vegetation but is partially screened, reducing its impact on the otherwise green environment.
40. With regard to the visual dimension, the impact of the proposed built form and associated tree loss would be to deliver a more permeable development than is currently on the site. This would result in an increase in visibility and give a far greater urban appearance than the existing buildings and hardstanding, much of which has merged into the surrounding woodland.
  41. Whilst the proposed development would make use of the space occupied by the existing buildings, it would also use a significant part of the former hardstanding areas that have a more rural appearance. As such, the new buildings would effectively encroach further into the surrounding countryside and would fail to maintain the integrity of the surrounding landscape character and the visual openness of the Green Belt.
  42. The proposed buildings and roads and other infrastructure that would provide a link between them would result in a continuation of built form in the valley which is not apparent in the current development and would be visually uncharacteristic and conspicuous in the wider landscape. It would be highly visible and would appear as an unacceptable visual encroachment in the surrounding countryside.
  43. In terms of the degree of activity, such as traffic generation, the Environmental Statement (ES) gives a total number of two-way external vehicle trips that would be generated by the development as 1,754 per day without the mitigation measures. I acknowledge that the appellant has committed to sustainable travel through the Design Code and Travel Plan, which include measures to encourage, through a network of linked streets and other routes, walking and cycle access connecting to existing Public Rights of Way (PROWs) and improve connectivity across the site. Also, the proposed high frequency bus service that would operate through the site would provide opportunities to minimise car use. However, the appellant has accepted that, by bringing the site back into use, there would inevitably be a greater degree of activity as a consequence. I find that this degree of activity that would be associated with the proposed predominately residential use of the site would be noticeably greater than currently exists and would fail to sustain the existing tranquillity.
  44. The appellant accepts that the former refractory use of the site is highly unlikely ever to return. However, it has suggested that, without a comprehensive redevelopment plan such as the appeal proposal, a piecemeal reuse/refurbishment of the existing buildings and external hardstanding areas for a range of industrial and commercial activity could resume across a number of buildings resulting in new activity and vehicular movement. However, I have not been given any details of such proposals, and most of the existing buildings would be unsuitable to be brought back into use without extensive refurbishment, making it unlikely on viability grounds. I therefore consider that the site would be unlikely to revert back to the historic heavy industrial

use or other potential future industrial or commercial uses to any significant degree.

45. In my opinion the appeal proposal would result in a noticeable increase in activity on the site compared to the 'fall-back' position. This would have a significant impact on openness.
46. In conclusion on this matter, I have assessed the overall impact of the proposed development on openness. In this respect, the overall volume and floorspace of the proposed dwellings and retained buildings would be significantly less than that of the existing buildings on the site. However, the plans indicate that the buildings would be spread out over the site into some of the areas that have re-vegetated and have effectively 'blended in' to the surrounding woodland. The removal of large parts of this vegetation and mature trees would open the site to make it more visible than the existing buildings in both distant and nearby views. The views of the buildings that would be spread over a greater area, together with the associated increase in activity, parking, traffic on new and widened roads, lighting and domestic gardens with their associated paraphernalia, would significantly increase the impact on openness to such an extent that it would cause substantial harm.

#### *Conclusions on Inappropriate Development*

47. I have found that the siting and arrangement of the proposed buildings, together with the resulting increase in activity, parking, lighting and paraphernalia associated with the permanent occupation of up to 300 dwellings, would cause substantial harm to the openness of the Green Belt compared to the fall-back position. I therefore conclude that the proposal would constitute inappropriate development in the Green Belt for the purposes of Section 13 of the Framework.

#### ***Purposes of the Green Belt***

48. The Framework defines five purposes served by the Green Belt. With regard to purpose (c), which is to assist in safeguarding the countryside from encroachment, the total brownfield area of the site which is occupied by buildings and hardstanding and forming the curtilage of the Works site has been calculated by the appellant as 8.548 ha.
49. The Council has provided a plan which identifies those parts of the site that it regards as having 'blended in' to the landscape, such that they no longer comprise PDL. This has been calculated as some 0.642 ha. This would amount to about 7.5% of the PDL. However, in addition to this, the residential character of the development would not safeguard the countryside from encroachment. There would be a degree of urbanisation and intensification of activity on the site which would alter its character in a way that would encroach into the countryside. I therefore find that the appeal proposal would be contrary to one of the purposes served by the Green Belt given in the Framework.

#### ***Character and Appearance***

50. The appeal site is located to the west of the Peak District National Park but outside the Park itself. I agree that the proposed development would not harm the special qualities as set out within the National Park Management Plan. There is limited direct inter-visibility between the National Park and the site,

given the arrangement of intervening tree cover, topography and built form. The appellant's Landscape and Visual Impact Assessment (LVIA) concludes that the magnitude of change upon the surrounding 'Landscape Character Areas' would be low, resulting in negligible long-term effects.

51. The surrounding area is protected under Policy GE8 of the UDP as an 'Area of High Landscape Value' where protection of the landscape is to be the overriding consideration. I accept that, under this non-statutory designation, the site itself and perceptible surroundings does not represent a 'valued landscape' within the meaning of paragraph 174(a) of the 2021 Framework. However, much of the site is mature woodland, which screens many of the large derelict buildings from views, and the Loxley River valley acts as a 'Green Corridor'. I consider that these represent important qualities that require safeguarding.
52. The site is also within the 'Green Corridor' protected under UDP Policy GE10 for its green and open character. Paragraph 130(c) of the 2021 Framework requires development to be sympathetic to local character and landscape setting and paragraph 174(b) requires it to recognise the intrinsic character and beauty of the countryside. In terms of Policy BE18, the 'Loxley Valley Area of Special Character' has never obtained Conservation Area status and has not resulted in the production of a site-specific Development Brief. Therefore, I consider that this Policy is not relevant to the determination of this appeal proposal.
53. The 'Loxley Valley Design Statement' was produced by the Loxley Valley Design Group and came into being in 1995. Under policies BE2 and GE2 in this Statement, new development should not damage important views in and into the Loxley Valley.
54. A Design and Access Statement (April 2020), Illustrative Masterplan and a set of parameter plans provide details of the design of the development proposal. The Design Code provides a set of rules and parameters together with an additional set of parameter plans supplementing the parameter plans that were submitted with the planning application. The demolition and retainment plan also identifies the buildings to be retained and includes the set of existing cottages, the bowling club and two buildings for conversion into mixed-use. Five 'Character Areas' have been set, which are Storrs Bridge Lane, Riverside Walk, Millpond Walk, Village Heart and Woodland Walk. The Illustrative Masterplan provides 15.6 ha of open space which equates to 58% of the total site area and includes various typologies of public open space. This includes urban woodland, landscaped areas of amenity green space, ecological green corridors and formal outdoor sports facilities, a village green, civic and market squares.
55. The Sheffield Green Belt and Countryside Areas – Preliminary Landscape Character Assessment' locates the appeal site within 'VA3 - Pastoral Upland River Valley LCT'. Page 59 of the assessment references 'Tree Cover', establishing that the north-east facing slope and valley bottom of the Loxley are heavily wooded with very little tree cover on the south facing valley slopes apart from shelter belts around the nurseries and along some field boundaries. The LVIA has determined that the site and the immediately surrounding landscape is of 'medium-high' value, albeit the scenic quality and condition is compromised by the disused and derelict nature of the existing land use.

56. I accept that visible buildings are a characteristic distant component of the wider scene. However, the proposal would introduce an urbanisation that would be clearly visible on a far greater scale than these buildings, even those that are present on the site. This would introduce elements on a scale that would be totally uncharacteristic in the local landscape. Although the proposal would enable the restoration, enhancement and management of landscape features, and the removal of derelict buildings, this would be insufficient to mitigate the resulting harm due to the change in the character and appearance of the area through the loss of a significant number of mature trees and the urbanising effect.
57. In terms of the loss of trees, I have considered paragraph 131 of the 2021 Framework, which emphasises the importance of trees to new development. The proposed development would result in the loss of some of the existing landscape features, including some 1.44 ha of tree cover, which represents about 6% of the overall 22.9 ha canopy extent of woodland within the red line boundary, and 18 trees associated with the proposed vehicular access on Storrs Bridge Lane. Another element of the scheme that would have the potential for further tree loss relates to the flood interception ditches. This is a substantial infrastructure requirement, and the ditches are included in the Flood Risk Assessment (FRA), produced for the appellant by BWB. They are shown as going through the woodland. A note from BWB, submitted on 26 May 2021, provides a revised location that would be incompatible with the illustrative layout and would reduce the developable area of the site.
58. The submitted Arboricultural Impact Assessment determined that no trees which were the subject of a Tree Preservation Order (TPO) would be lost because of the proposal. However, since that Assessment, a TPO has been made on 6 October 2020 that includes the trees along Storrs Bridge Lane and trees around the Mill Pond as being protected. I am satisfied that these are important trees that contribute to the character of the area and so require protection. I have insufficient evidence to show that these trees would not be lost as a result of the proposed widening of Storrs Bridge Lane and flood prevention works at the Mill Pond.
59. There is no definition of what amounts to 'significant' or 'unacceptable' loss' in association with UDP Policy GE15 (Trees and Woodland). The appellant has stated that some tree loss would be necessary to remove the derelict buildings, structures and areas of hardstanding associated with the appeal site. Balanced against this, the proposal would include new planting and the creation of a Woodland Management Plan, which would be secured by a condition, that would help protect, manage and enhance the woodland that makes up a large area of the site. However, given the extent and location of the proposed tree removal, I do not consider that the harm arising from the loss of trees in association with the development would be fully mitigated by the tree planting and woodland management, particularly in the short term when the replacement trees would be less mature and would provide a reduced level of screening.
60. In addition to the above harm, the introduction of street lighting across the site and across the access road and bridge would have a notable effect on the generally rural character, particularly at night time when there is currently very limited lighting that is mainly for security. This would be compounded by the domestic lighting, and headlights across the site. The site would change from

largely abandoned buildings in a woodland setting to a well-used, domestic residential, suburban area.

61. The proposal would be harmful to the special character of the Loxley Valley. This change in character would be clearly perceived from PRoWs through and alongside the site, as well as further away from the site. The Woodland Management Plan would provide some benefits to the woodland but would not apply to the north of the river corridor, which is also an important area. It should also be considered against the proposed use of the woodland for recreation and play spaces, which would increase the level of activity within it and change its rural and tranquil nature.
62. I have found that the proposal would introduce new areas of open space and manage the woodland, as well as introduce new tree planting. However, this would be insufficient to compensate for the resulting change in the character and appearance of the area from a quiet rural setting with mainly large vacant buildings that are partially screened by mature woodland to a suburban domestic setting that would visibly increase activity and lighting and result in greater noise in the area both during the night and day.
63. I therefore conclude on this main issue that the proposal would have an adverse effect on the character and appearance of the site and the surrounding area. It would fail to accord with UDP Policy GE8, as it would not adequately protect an 'Area of High Landscape Value'; UDP Policy GE10, as it would detract from the green and open character of the River Loxley Green Corridor; and UDP Policy GE15, as it would result in a significant loss of mature trees. In addition, the proposal would fail to accord with the 'Loxley Valley Design Statement', and in particular policies BE2 and GE2.

### ***Ecology and Biodiversity***

64. The Council has argued that the information that it has reviewed is insufficient to reach a reasoned conclusion on the significant effects of the development on the environment, and South Yorkshire Bat Group (SYBG) has also expressed concern about the inadequacies of the surveys and evidence regarding the effect on bats. There are Schedule 1 birds shown to be present on site, as well as a considerable bat presence using the site and river for roosting and commuting. Other concerns have been raised by the Council in relation to badgers, reptiles, invertebrates and otters. Given that the proposal is in outline form, with all details except access to be determined at reserved matters stage, it is difficult to fully determine its impact on the identified species.
65. The original survey in 2014 that has been used to form a baseline for assessment is out of date. The subsequent updates in 2018 and 2020 were not comprehensive, and experts at the Inquiry have indicated that they were undertaken at the wrong time of year to understand the presence of breeding or over-wintering birds and did not address inadequacies in the baseline. The appellant has accepted that the buildings were not included in the surveys, due to health and safety reasons, and there would also be the loss of mature trees, both of these with the potential of being used for bat roosts and/or nesting birds. In addition, the impact of the proposed interception ditches has not been assessed. It appears to me that an inadequate data search was undertaken, and I am concerned that the combined surveys did not follow CIEEM Guidelines.



66. The Council has identified the Loxley River corridor, the woodland, and the Mill Pond as being three features of particular importance in terms of biodiversity and ecology. These combine to produce a habitat and species rich environment of high sensitivity. The ES recognises this in that it creates what is described in policy as a 'blue green corridor'. This 'blue green corridor' has suffered very little disturbance since the industrial buildings on the site ceased to be in operation, and it provides connectivity through and beyond the site.
67. The ES identifies the need for a buffer zone along the river of a dark corridor. However, the proposal would include new and reconstructed bridges, together with ongoing effects through noise and activity, lighting from houses, streetlights and car headlights, use by motor vehicles, and pedestrians. In addition, it appears to me that there would be foot and cycle paths through the river corridor creating additional disturbance. The Council considers that the proposed 10m wide buffer zone either side of the River Loxley would be inadequate. There would also be a significant number of mature trees that would be lost because of the development that would potentially be habitats, as well as increased recreational activity within the woodland that would cause disturbance.
68. Planning conditions would secure a Habitat Enhancement Management Plan (HEMP) and a Construction Environmental Management Plan (CEMP) to mitigate the likely effects of the development. However, I am not convinced that there is sufficient robust information, based on up-to-date survey and baseline data, to decide on how effective the proposed measures to mitigate any harm to species and the environment would be, given that the proposal is in outline form. This is confirmed by the need for planning conditions requiring a Strategic Site-Wide Ecological Mitigation Strategy to be approved and to be used as a basis for a detailed Ecological Mitigation Compensation and Enhancement Strategy. Amongst the provisions that this would include would be updated specific species survey results and mitigation measure for protected species.
69. The Environment Agency (EA) has advised that the Water Framework Directive assessment can take place pursuant to a condition to ensure that the mitigation is adequate in relation to water quality. The Council has indicated that, in usual circumstances, it would request that the assessment is carried out and agreed prior to the determination. The proposed planning condition would require the approval of a Water Framework Directive compliance assessment that identifies any impacts from the development and provides adequate mitigation, enhancement and a future management plan. It may require the removal of Old Wheel Weir or measures such as a fish pass, but this has not yet been determined. This is further evidence of the inadequacies of the information provided to enable a fully informed assessment of the impact of the proposal on the ecology, and in this case aquatic ecology.
70. I am not satisfied that the proposed biodiversity net gain would address my concerns given above. It is a separate assessment and the Metric is only concerned with habitats, not species. The joint position of the Council and SYBG is that overall, there is harm to the biodiversity interests on the site. Furthermore, at the Inquiry the appellant indicated that there is some uncertainty about the likely percentage biodiversity net gain that could be achieved, given that the relevant Metric could be different from that used in its assessment.

71. I find on this main issue that I have been provided with insufficient information to conclude that the proposal would not result in unacceptable harm to the ecology and biodiversity of the surrounding area. As such, I conclude that the appellant has failed to demonstrate that the proposal would accord with UDP Policy GE10, with regard to increasing the value of the Green Corridor for wildlife; UDP Policy GE11, with regard to respecting and promoting nature conservation; and UDP Policy GE17, in relation to protecting and enhancing the River Loxley for the benefit of wildlife.

### **Accessibility**

72. Most of the proposed dwellings would be sited at the bottom of a relatively steep sided river valley with limited accessibility. The 2021 Framework in paragraph 105 seeks to place significant development in sustainable locations which limit the need to travel and offer a genuine choice of transport modes, with the objectives of reducing congestion and emissions and improving air quality and public health.
73. The provision of on-site services would be secured for a limited period by a Section 106 planning obligation. This would generally consist of a retail unit and a community hub. The future of these services, and in particular the retail unit, would be uncertain. The South Yorkshire Residential Design Guide, 2011, at N1.1 indicates that within a larger built-up area with overlapping catchments, a minimal centre is supported by a minimum of between 800 and 1,200 dwellings, whereas the proposal would be for up to 300 dwellings. Nothing has been provided to show that the proposed retail use would be viable, even though the appellant has submitted a letter from 'the Green Shop' which indicates an interest in running the shop but with no accompanying business plan, and it would be unreasonable to enforce an unviable use. The bowling green and public open space would make a limited contribution to on-site services, and access to all other services would require travel off-site.
74. Regarding access to off-site services by walking and cycling, the distances and steep accesses would discourage residents of the development from making such trips. Furthermore, most of the routes that would be available would be unlit for a significant part of their length. Distances to certain local amenities have been agreed as being between 1,200m and 1,900m from the centre of the site. These amenities would be limited to two pubs, a local play area, a garden centre and Loxley primary school. All other key services are more than 2km from the site.
75. The Institution of Highways and Transportation (IHT) Guidelines for 'Providing for Journeys on Foot', 2000, indicates that acceptable walking distances depend on various factors, including time savings, journey purpose and general deterrents to walking. In Table 3.2, it gives suggested acceptable walking distances to services outside town centres of 800m and a preferred maximum of 1,200m. The Manual for Streets in paragraph 4.4.1 promotes 'Walkable Neighbourhoods', which it typically characterises as having a range of facilities within 10 minutes (up to about 800m) walking distance of residential areas which residents may access comfortably on foot. Whilst it does not give this as an upper limit, stating that walking offers the greatest potential to replace short car trips, particularly those under 2km, I would consider that this is dependent upon those factors given in the IHT Guidelines.

76. The nearest school is Loxley primary school, which is a minimum of about 1.9km from the centre of the site, depending upon which route is taken. All other schools, including Bradfield Dungworth primary school and the secondary school at Bradfield, are more than 2km away, which would be along routes that are not conducive to walking children to school. The Council has claimed that the nearest schools are at or near to capacity and, even though CIL contributions could be used to provide additional space at local schools, there is no certainty as to which schools would benefit. As such, distances for children to travel to school would be likely to be well beyond a realistic walking or cycling distance.
77. Although the appellant has suggested that 2km is commonly used as a maximum appropriate walking distance which does not need to be a barrier to undertake a daily commute to school, I am concerned that the topography, degree of lighting, and relatively high speed of the traffic would be deterrents. It would be more attractive and quicker to drive to the facilities, including the schools. The appellant has also suggested that there is a school service to Bradfield. However, I have not been provided with details of whether or how this would be used to access the proposed development in the future.
78. In relation to public transport, the nearest bus stop is about 770m from the centre of the site via Storrs Bridge Lane and it would be further to reach it if Rowell Lane were used. The proposal would improve Storrs Bridge Lane, by providing a 1.8m wide footway and lighting, and the track to Rowell Lane, which would also be lit. However, the distance and steepness of Storrs Bridge Lane and the distance along Rowell Lane, together with the speed of traffic on that part of Loxley Road would make it unattractive, especially for children and the elderly.
79. The IHT Guidelines for 'Planning for Public Transport in New Development', 1999, recommends in paragraph 6.20 maximum walking distances to bus stops of 400m, and a WYG report entitled 'How far do people walk' has published survey results that identify a mean walking distance to a bus stop of 580m outside London and an 85th percentile of 810m. Whilst the appellant has proposed to improve the existing bus stops on Loxley Road, I observed at the site visit that they are sited on a relatively narrow footway with limited natural surveillance on a stretch of road that has no street lighting and a 60mph speed limit. As such, they would be unattractive to residents of the proposed development, particularly as the bus service to these stops consists of Nos 61 and 62, which is an hourly loop service that links rural villages to Hillsborough and Stannington and takes a relatively long time.
80. The proposed provision of an enhanced bus service through the development would be subsidised for 5 years under a Section 106 planning obligation. The appellant has provided details of interest shown by bus operators. However, correspondence with 'First' was a long time ago and the company has indicated that it is reluctant to agree to any bus service improvements as it is unsure what services will continue to operate. The more recent letters from private operators contemplate a mini-bus shuttle between the site and Hillsborough, which would be less likely to provide access to local services, and there is no certainty as to whether there would be sufficient custom to ensure that it would continue beyond the subsidised 5-year period.

81. Turning to cycling, the appellant has indicated that it would provide a 'cycle hub' as part of the community hub, which forms part of the Section 106 planning obligations. The appellant has indicated that 3km would be an appropriate distance to cycle on a day-to-day basis and up to 8km for a commute. However, I consider that the cycle hub would be most useful to encourage cycling for recreation and leisure rather than for necessary trips, given the lack of recognised cycle routes near to the site and the relatively steep gradients of most of the routes out of the site. Based on the evidence provided and my observations at my site visit, I consider that it would be unattractive for most future occupants to use a bicycle to make necessary trips to the schools and other facilities in Stannington, Bradfield or Hillsborough.
82. Based on the above, I find that the appeal site is in a location that is remote from most necessary services and facilities and that the topography and distances from any local services would make it unlikely that future residents of the proposed development would walk or cycle to such services. Furthermore, the use of the existing bus services would be unattractive, given the relative location of the bus stops from the site, the infrequency of the services, and the time that it would take to access necessary local facilities. The mitigation that would be provided by the proposed shuttle bus and a Travel Plan would be insufficient to make the site acceptable in terms of access by means other than the car. As such, the proposal would fail to accord with paragraph 105 of the 2021 Framework, as its location is not sustainable and has not been shown to be able to be made sustainable, even making allowance for it being in a rural area.

### ***Flooding***

83. The EA Flood Maps for Planning locate the site partially within Flood Zones 2 and 3. I understand that the appeal site has an observed history of flooding from the River Loxley, a Mill Leat and Mill Pond as well as overland flows from the surrounding hillsides. The appellant's assessment has suggested that historic flooding of the site has been exasperated by blockages of key structures and that hydraulic modelling has shown that the risk to the site will increase in the future due to climate change.
84. It has not been disputed that most of the hardstanding areas adjacent to the river, which represent areas where most of the proposed dwellings would be provided, are within Flood Zone 2. Accordingly, the appellant has submitted a FRA. The EA in its consultation reply to the application raised no objection to the proposal from a flood risk point of view, subject to appropriate planning conditions. Neither did the Local Lead Flood Authority and the Council's Flood Policy Officer object. Whilst there is a potential for harm arising from flood risk, the Council has accepted that it could be fully mitigated through the imposition of appropriate planning conditions which secure compliance with the appellant's agreed FRA. I have been given no reason to doubt that this would be able to be achieved.
85. The Council has accepted that the sequential test in relation to flood risk is met and I have been given no evidence to show otherwise. Table 3: Flood Risk Vulnerability and Flood Zone 'Compatibility' sets out the circumstances where the exception test should be applied. Residential development is classed as 'more vulnerable' and as such the exception test needs to be passed.

86. The exception test in paragraph 164 of the 2021 Framework would be met if wider sustainability benefits which outweigh the flood risk could be secured. The NPPG indicates that evidence of wider sustainability benefits to the community should be provided, which in this case has been through a sustainability appraisal. If the proposal fails to score positively against the aims and objectives of the sustainability appraisal, or is not otherwise capable of demonstrating sustainability benefits, the local planning authority should consider whether the use of planning conditions and/or planning obligations could make it do so. Where this is not possible, the exception test has not been satisfied and the proposal should not be approved.
87. The appellant has provided a Sustainability Assessment which sets out key elements that the appellant considers makes the proposal sustainable. These include a regular bus service; a Travel Plan to encourage alternative means of transport; new walking and cycling routes; streets that maintain low vehicle speeds; space for parking; the provision of electric vehicle charging points; community home working, recreation and leisure facilities; 'Green and Blue' Infrastructure; dual aspect homes to provide daylight and natural ventilation; the provision of a Woodland Management Plan; a Habitat Enhancement Management Plan; landscape enhancements; and the re-development of a contaminated brownfield site. Based on this, I agree with the conclusions of the appellant's submitted Flood Risk Sequential and Exception Test, April 2020, that the wider sustainability benefits to the community outweigh the potential flood risk.
88. The measures that are proposed in the FRA include the following. To mitigate the flood risk from the River Loxley, all new buildings would have their finished floor levels raised. As the Mill Leat and Pond are elevated above the adjacent development parcels, it would not be practicable to elevate finished levels in these areas above the flood levels present in the Leat and Pond. Therefore, the 600mm freeboard to climate change flood levels would be applied to their banks. To mitigate the flood risk posed by the overland flows from the adjacent hillsides, interception ditches would be created on the up-hill side of the development parcels which would intercept surface flows before they reach the development. The FRA states that hydraulic modelling has shown that without mitigation the proposed development would displace a proportion of the floodplain into the undeveloped areas of the wider site but there would be no change to the floodplain or flood levels outside the site.
89. Taking the above into account, I find that the proposal would pass both the sequential and exception tests in the Framework. It would be a predominantly residential development, which is classified in Annex 3 of the 2021 Framework as being a more vulnerable type of development to flood risk, in an area that currently is at a medium to high risk from flooding and, as such, would require significant engineering works as mitigation. Therefore, I conclude on this main issue that the proposal would result in an increased risk from flooding, which would be capable of being appropriately mitigated to prevent that risk from being unacceptable.

### ***Other Considerations***

90. Paragraph 148 of the 2021 Framework states that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly

outweighed by other considerations. The appellant has put forward a significant number of positive factors that it considers weigh in favour of the proposal.

91. One of these factors is the redevelopment of a semi derelict brownfield site. In this regard, paragraph 145 of the 2021 Framework promotes the objective of enhancing the beneficial use of Green Belt land, such as looking for opportunities to *'improve damaged and derelict land'*. Paragraph 120(d) of the 2021 Framework offers support for the redevelopment of PDL, and paragraph 120(c) directs that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs, indicating that the reuse of PDL remote from settlements should attract less than substantial weight.
92. The support given to the reuse of PDL given in the Framework is less for locations that are not sustainable and remote from settlements. Furthermore, paragraph 119 of the 2021 Framework promotes an effective use of land *'while safeguarding and improving the environment'*. As such, I have attached limited weight to this benefit and the associated benefit of addressing anti-social behaviour and vandalism on the site.
93. In terms of the remediation of contamination and pollution, the Council's Environmental Protection Officer has indicated that he has no objections to the proposal in principle and all contamination and pollution concerns could be dealt with by appropriate conditions and directives. He accepted at the Inquiry that there is contamination on the site from such things as asbestos in the buildings and hydrocarbons, which have the potential to cause pollution. However, he pointed out that the Phase 2 study confirmed that the controlled waters present on the site are not contaminated and the contaminants present within the soil samples are not leaching. Therefore, no unacceptable risk to controlled water receptors has been identified and there is no pressing need to do any remediation. He also suggested that, if there were any significant risk of pollution, the enforcement provisions of the Environmental Protection Act 1990 should provide an appropriate remedy.
94. Based on the surveys and information before me and the evidence presented at the Inquiry, I am satisfied that any potential harm arising from contamination and pollution as a legacy of the site's former use should be able to be fully addressed. Although the site contains some historic contamination, there is no identified present pollution risk through a pathway to a receptor. It would be necessary to remediate the site through any other redevelopment proposals. No viability evidence has been provided to demonstrate that a redevelopment on the site at the scale proposed would be the only way of ensuring that the contamination and pollution would be satisfactorily remediated. I therefore attach moderate weight to this benefit.
95. The benefit associated with the delivery of new homes would be significant, given the government objective to 'significantly boost' the supply, including meeting the needs of groups with specific housing requirements. Furthermore, the evidence indicates that there is a considerable need for additional dwellings to meet demand in the City, and in particular for houses, as opposed to apartments or student cluster flats, especially in locations outside of the City Centre and the City Centre West.

96. I have found that the Council cannot demonstrate a 5-year housing land supply in accordance with the Framework and, with the 35% uplift in its housing requirement resulting from changes to the Standard Method that takes effect from 16 June 2021, it is able to demonstrate less than a 4-year supply. As such, I have attached substantial weight to the provision of up to 300 dwellings, which would include market and affordable housing, with the potential of Extra Care Housing.
97. I agree that the proposed affordable housing, which would be secured by a Section 106 planning obligation, would represent a significant benefit. However, the provision would be necessary to comply with Core Strategy Policy CS40 (Affordable Housing), which states that, in all parts of the city, new housing developments will be required to contribute towards the provision of affordable housing where practicable and financially viable.
98. As the proposal is within the Peak District Fringe Housing Market Area, the required affordable housing contribution would be 10% of the gross internal floor area. The appellant has argued that, as the Council's Housing Service has indicated the need for smaller affordable homes, this requirement could result in up to 40 homes being provided. Even so, the weight that I attach to this benefit is less than I would give if the affordable housing provision would exceed that required by development plan policies. I have therefore attached moderate weight to this benefit, having already given the provision of the proposed 300 homes substantial weight.
99. The appellant has indicated that as a benefit, the proposal could include Extra Care Housing. I accept that this would provide an opportunity to meet some of a need identified by the Council's Strategic Housing Officer as being around 185 older peoples housing units by 2034, with currently no sheltered housing or extra care provision in the local area. However, the number and type of Extra Care Housing has not been specified and nothing has been put forward to ensure that they would be provided as part of the proposal. Furthermore, should this type of housing be provided it would not increase the number of housing units overall from the 300 proposed. As such, I have given this potential benefit no additional weight above that which I have given to the provision of up to 300 new homes.
100. The appellant has suggested that there would be environmental, woodland, and open space benefits from the green and blue infrastructure that is included in the masterplan. However, I have considered these as part of my overall assessment of the impact of the development on the character and appearance of the site and surrounding area. Whilst they would be benefits of the proposal, my conclusion on this matter is that they would be insufficient to overcome the harm that the proposal would cause to the character and appearance of the area. As such, I have taken them into account in determining the weight that I have given to the harm.
101. The design of the proposal would be controlled by a planning condition that would require the proposal to be constructed to an agreed Design Code. The Design Code should be capable of reflecting a high standard of design and built form including open spaces, sustainability and place making. This should ensure that a good quality housing proposal would come forward on the site. However, this is what would be expected in the Framework, as set out in paragraphs 73c), 125, 126, 128 and 134 of the 2021 Framework and there is

nothing before me to secure an exceptional or exemplary design that would carry any significant weight. Therefore, whilst the 2021 Framework has emphasised the importance of Design Codes and the appellant has indicated that the Design Code would reflect the National Design Guide and National Model Design Code referred to in footnote 52 to paragraph 134 of the 2021 Framework, I have attached moderate weight to this benefit.

102. In terms of the appellant's claims about sustainability benefits, the submitted Sustainability Assessment provides a range of measures. These include accessibility, key sustainability features, green infrastructure, creating a community, recreation and leisure, materials, contaminated land, waste and recycling, water and flooding, air quality and environmental pollution, building design and layout and energy and carbon emissions. They would be appropriately covered by planning conditions.
103. I have taken account of most of these measures under other matters that I have addressed, such as my assessment of accessibility, and the effects on character and appearance, contamination, pollution, and flooding. I give moderate weight to the benefits from the additional recreation and leisure facilities that would be provided, and moderate weight to the benefits from the provision of electric transport facilities and measures regarding energy and carbon emissions, given that they are partly to mitigate the impact of the development. I have given no weight to the appellant's proposal to use the River Loxley to generate hydro-electric power, as there is nothing before me to show that this would be feasible and would not result in unacceptable harm to the ecology and/or the appearance of the area.
104. Through the Section 106 Agreement, the appellant is committing to an investment of £750,000 over 5 years to underpin an enhanced frequency bus service which would run directly through the site. The appellant has provided recent correspondence with Northern Travel and Rivelin Travel, in that they express confidence about the longevity of the service. Even allowing for this service to be capable of continuing beyond the 5-year period, it is indicated as being a shuttle bus between the appeal site and Hillsborough that would offer very little benefit to the surrounding communities. As such, I have given this limited weight as a benefit.
105. Regarding archaeology and heritage, an Archaeological Assessment was submitted as part of the Environmental Impact Assessment (EIA) which was reviewed by the South Yorkshire Archaeological Service (SYAS). The SYAS confirmed in its consultation reply that it raised no objections to the proposal, subject to the imposition of planning conditions. A Community Heritage Engagement Statement, which the appellant has commissioned, explores the industrial heritage of the site and the potential for enhancement as a result of increasing the visibility and bringing into beneficial use the retained 19th century buildings and improvement of the water management systems. It proposes measures to retain and preserve parts of the heritage, as well as a museum.
106. Planning conditions would protect the heritage and archaeology of the site. This would include a scheme to commemorate the industrial heritage in accordance with the appellant's Heritage Statement and Archaeological Assessment, which would develop the proposals set out in the Community Heritage Statement. Therefore, I am satisfied that this should satisfactorily



address and appropriately mitigate any potential harm to archaeology and heritage matters. The Council has attached little weight to the heritage significance of the site. Based on this, and there being no details of the type and scale of any museum, together with the need to mitigate harm because of the development, I have given this benefit limited weight.

107. In terms of biodiversity net gain, the appellant has assessed that it would be capable of achieving an overall biodiversity net gain of 4.9% above the baseline value of the site prior to any site clearance activity, using the DEFRA 2.0 Metric or equivalent. However, at the Inquiry it was reluctant to commit to any specific net gain value on the grounds of uncertainty in achieving this score under a different Metric. Whilst it did indicate that it was willing to accept a planning condition that specifies a minimum 5% biodiversity net gain, this may not be achievable on the site and would therefore require a biodiversity offset or other off-site measures to be adopted. As such, I find this proposed benefit to carry limited weight, given that the Council has pursued a 10% requirement to be in line with the Environment Bill, albeit that it is not yet in force.
108. The proposal would provide economic benefits, including jobs created during the construction period and the resultant expenditure in terms of additional GVA to the local economy. Also, I accept that, following completion of the development, additional expenditure arising from the new households could benefit local businesses and help sustain jobs. The appellant has committed to enter into an Employment and Development Plan, as requested in the consultation response from the Council's Economic Development Department.
109. The appellant has suggested that new permanent employment would be created at the on-site local convenience shop, a care home, which could be up to 60 staff, and in the community hub building, as well as associated with the woodland management activities. However, most of this employment is uncertain, particularly as it would be difficult to retain the shop if it were to prove not economically viable and there is nothing to secure a care home. I have therefore attached moderate weight to the above economic benefits to the local economy.

### ***Whether the Harm would be Clearly Outweighed***

110. In considering whether other considerations outweigh any conflict with the development plan, I have taken account of the benefits put forward by the appellant in support of the proposal. These include the provision of housing, as well as affordable housing; the removal of dereliction, redevelopment and regeneration of the site; cycle and pedestrian facilities within the site; public transport provision; public open green space and blue infrastructure; a new village common and related green spaces; flexible workspace created within the existing buildings to be converted; and a new local convenience store on site; protecting retained trees and the provision of new planting; the creation of new riverside walkways; and addressing vandalism and anti-social activity on the site.
111. I have found that the proposal would be inappropriate development in the Green Belt. This is, by definition, harmful to the Green Belt and it would result in conflict with the Green Belt purpose of assisting in safeguarding the countryside from encroachment. Consistent with paragraph 148 of the 2021 Framework, I attach substantial weight to this harm. In addition to the definitional harm caused by the proposal's inappropriateness, I have found that

the harm to openness would be substantial in magnitude. The proposal would also cause harm to the character and appearance of the site and the surrounding area. Other harm that I have found results from the site's unsustainable location that has poor accessibility by means other than the car and includes an area that is of a medium to high risk of flooding. This harm further weighs against the proposal.

112. Taking account of this harm, and the weight that I have given to the above-mentioned considerations, I find that the appellant has not put forward other considerations that are sufficient to clearly outweigh the harm. As such, the harm to the Green Belt by reason of inappropriateness and any other harm is not clearly outweighed by other considerations. Consequently, the very special circumstances necessary to justify the development do not exist.

### ***Overall Conclusions***

113. In the absence of the Council being able to demonstrate a 5-year supply of deliverable housing sites, the policies which are most important for determining the application are considered out of date, as specified in footnote 8 of the 2021 Framework. In such circumstances, paragraph 11d) of the Framework indicates that permission should be granted unless, in 11d)i, the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development.

114. The conflict that I have found with Green Belt policies in the Framework provides a clear reason for refusing the development proposed. I have found that the proposal would fail to accord with the development plan and policies in the Framework as a whole. As such, it would not represent sustainable development in accordance with the Framework. Therefore, having regard to all matters raised, I conclude that the appeal should fail.

*Martin Whitehead*  
INSPECTOR

## APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY: Sheffield City Council

Guy Williams Of Counsel, instructed by Patricia Evan, Planning & Highways Lawyer, Sheffield City Council

He called

Laura Stephens MA	Planning Officer, Sheffield City Council (Green Belt evidence and participant in Housing round table session)
Sarah Hull MSc	Principal Planning Officer, Sheffield City Council (Planning and Green Belt evidence and participant in Accessibility round table session)
Jack Foxhall DipLD CMLI	Planning Officer and Landscape Architect, Sheffield City Council (Participant in Landscape and Visual Impact round table session)
Deshpande Harshada	Design Officer, Sheffield City Council (Participant in Landscape and Visual Impact round table session)
Chris Smith BSc(Hons)	Biodiversity Officer, Sheffield City Council (Participant in Ecology and Biodiversity round table session)
Neal Pates BSc(Hons) HNCEnvHealth Dip Acoustics	Environmental Protection Officer, Sheffield City Council (Participant in Contamination round table session)

FOR THE APPELLANT: Patrick Properties Strategic Land Ltd

Christopher Katkowski Queens Counsel, instructed by Avison Young

He called

Gary Halman BSc FRICS FRTPI	Senior Director, Avison Young (Planning and Green Belt evidence and participant in Landscape and Visual Impact and Accessibility round table sessions)
Roland Bolton BSc(Hons) MRTPI	Senior Director, DLP Planning Ltd (Participant in Housing round table session)
Jonathan Berry BA(Hons) DipLA CMLI AIEMA MArborA	Partner, Tyler Grange Group Ltd (Participant in Landscape and Visual Impact round table session)
David Rudlin BA(Hons) MRP	Urban Design Principal Director of URBED (Participant in Landscape and Visual Impact round table session)

Jeremy James MSc BSc(Hons) CEnv CEcol CEnv MCIEEM	Director, Bowland Ecology (Participant in Ecology and Biodiversity round table session)
Tim Russell BEng(Hons) MIHT	Associate, Croft Transport Solutions (Participant in Accessibility round table session)
Danny Kennedy	Appellant Company (Participant in Accessibility round table session)
Martin Dyer BSc(Hons) FGS AIEMA MIEnvSc CEnv	Director and Principal, E3P Ltd (Participant in Contamination round table session)

FOR THE RULE 6 PARTY: CPRE and Friends of Loxley Valley

Alistair Mills Of Counsel, instructed by Dr Andy Tickle, CPRE

He called

Andrew Wood BA(Hons) Arch MTP	Managing Director, Stride Works Ltd (Planning and Green Belt evidence and participant in the Landscape and Visual Impact round table session)
Dr Andy Tickle BSc(Hons) PhD DIC FRSA	Head of Campaigns, CPRE Peak District and South Yorkshire (Participant in the Landscape and Visual Impact and Accessibility round table sessions)
Dr Anne Robinson BSc MB ChB DPhil MRCP	Transport Campaigner, CPRE Peak District and South Yorkshire (Participant in Accessibility round table session)

OTHER INTERESTED PARTIES

Olivia Blake	MP
Catherine MacKay	Local Resident
Mark Wragg	Local Resident
Richard Sutcliffe	Local Resident
Robin Hughes	Local Resident and representative for Hallamshire Historic Buildings
David Holmes	Local Resident
Craig Gamble Pugh	Local Resident and representative from Sheffield Climate Alliance
David Markham	Local Resident (also read Statement of Christopher Barber)
Councillor Penny Baker	Ward and Parish Councillor and Local Resident

Jack Bain	Local Resident
Rodri Morris	Local Resident
Jim Muirhead	Local Resident
Jayne Bradbury	Local Resident
Robert Bell	South Yorkshire Bat Group (Participant in Ecology and Biodiversity round table session)
Brian Armstrong	South Yorkshire Bat Group (Participant in Ecology and Biodiversity round table session)

## **DOCUMENTS SUBMITTED AFTER OPENING THE INQUIRY**

- 1 Appellant's Opening Submissions, submitted by the appellant on 13 April
- 2 Opening Submissions on behalf of Sheffield City Council, submitted by the Council on 13 April
- 3 Rule 6 Opening Submissions, submitted by the Rule 6 Party on 13 April
- 4 Update Core Documents List, submitted by the appellant on 13 April
- 5 E-mail of Statement of Christopher Barber, submitted by Christopher Barber on 13 April
- 6 E-mail of Statement of David Markham, submitted by David Markham on 13 April
- 7 E-mail of Statement of Councillor Penny Baker, submitted by Councillor Penny Baker on 13 April
- 8 E-mail of Statement of Craig Gamble Pugh, submitted by Craig Gamble Pugh on 13 April
- 9 E-mail of Statement of Olivia Blake MP, submitted by Olivia Blake MP on 13 April
- 10 Signed Landscape Statement of Common Ground, submitted by the appellant on 14 April
- 11 Table of existing and proposed areas and volumes, submitted by the appellant on 14 April
- 12 E-mail, dated 12 April from BWB Consulting regarding interceptor ditched, submitted by the appellant on 15 April
- 13 Statement of Christine King, submitted by Christine King on 15 April
- 14 Updated Appendix 6 to Sarah Hull's Proof of Evidence, submitted by the Council on 16 April
- 15 Housing and 5 Land Supply Summary Sheet, submitted by the Council on 19 April
- 16 Transport Assessment Scoping Note- August 2019, submitted by the appellant on 19 April
- 17 Contamination Statement of Common Ground, submitted by the appellant on 20 April
- 18 Journal of Planning Law Case Comment on R (on the application of Lochailort Investments Ltd) v Mendip DC, J.P.L. 2021, 5, 568-580, submitted by the Rule 6 Party on 21 April
- 19 Drawing Ref REP/20-01301-OUT/07/A: Development Impact on Protected Trees, submitted by the Council on 22 April
- 20 South Yorkshire Bat Group Draft Conditions, submitted by South Yorkshire Bat Group on 3 May

- 21 E-mail, dated 6 May 2021 from the appellant regarding Extra Care Units, submitted by the appellant on 6 May
- 22 BWB Summary Note 2: Interception Drainage, submitted by the appellant on 26 May
- 23 Planning Conditions Schedule (26/05/21), submitted by the appellant on 26 May
- 24 Hallamshire Historic Buildings Proposed planning conditions, submitted by Hallamshire Historic Buildings on 26 May
- 25 E-mail from Robin Hughes, dated 27 May 2021 regarding the Site Visit, submitted by Hallamshire Heritage Buildings on 27 May
- 26 Rule 6 party: CPRE/FoLV submission on proposed conditions, submitted by the Rule 6 Party on 28 May
- 27 Planning Conditions Schedule Final Draft, submitted by the appellant on 4 June
- 28 Draft Section 106 and Appendices, submitted by the appellant on 4 June
- 29 Hallamshire Historic Buildings Proposed planning conditions (updated), submitted by Hallamshire Historic Buildings on 7 June
- 30 Hallamshire Historic Buildings changes to planning conditions, submitted by Hallamshire Historic Buildings on 8 June
- 31 CIL Compliance Statement on Behalf of the Local Planning Authority, submitted by the Council on 8 June
- 32 South Yorkshire Bat Group Closing Submissions, submitted by South Yorkshire Bat Group on 9 June
- 33 CPRE, the countryside charity & Friends of the Loxley Valley: Rule 6 Closing Submissions, submitted by the Rule 6 Party on 9 June
- 34 Final Submissions on behalf of Sheffield City Council and 4 cases referred to in the submissions, submitted by the Council on 10 June
- 35 Appellant's Closing Submissions and 5 cases referred to in the submissions, submitted by the appellant on 10 June
- 36 Site Visit Route Consolidated Plan, submitted by the Council on 10 June
- 37 Site Visit Driving Route, submitted by the Council on 10 June
- 38 Signed Section 106 Agreement, dated 17 June 2021, received on 18 June
- 39 E-mail, dated 26 July 2021, from Richard Cannon, on behalf of the Council in response to the Planning Inspectorate e-mail, dated 21 July 2021 regarding the updated 2021 National Planning Policy Framework, received on 26 July

- 40 E-mail, dated 26 July 2021, from Stuart Kemp on behalf of CPRE Peak District & South Yorkshire and Friends of the Loxley Valley in response to the Planning Inspectorate e-mail, dated 21 July 2021 regarding the updated 2021 National Planning Policy Framework, received on 27 July
- 41 Letter, dated 27 July 2021, from Philip Grant of Avison Young on behalf of the appellant in response to the Planning Inspectorate e-mail, dated 21 July 2021 regarding the updated 2021 National Planning Policy Framework, received on 27 July
- 42 E-mail, dated 29 July 2021, from Philip Grant of Avison Young on behalf of the appellant in reply to the responses to the Planning Inspectorate e-mail, dated 21 July 2021 regarding the updated 2021 National Planning Policy Framework, received on 4 August
- 43 E-mail, dated 2 August 2021, from Richard Cannon, on behalf of the Council in reply to the appellant's response to the Planning Inspectorate e-mail, dated 21 July 2021 regarding the updated 2021 National Planning Policy Framework, received on 4 August







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## Appeal Decision

Inquiry Held on 22 -25 June 2021 and 29 June 2021

Site visit made on 23 June 2021

**by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE**

an Inspector appointed by the Secretary of State

**Decision date: 10 August 2021**

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**Appeal Ref: APP/J4423/W/21/3267168**

**Land at Junction with Carr Road and Hollin Busk Lane, Sheffield S36 2SS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Hallam Land Management against the decision of Sheffield City Council.
  - The application Ref 17/04673/OUT, dated 14 November 2017, was refused by notice dated 20 July 2020.
  - The development proposed is an outline application for residential development of up to 85 residential dwellings including open space (all matters except for access reserved).
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### Decision

1. The appeal is allowed and outline planning permission is granted for residential development of up to 85 residential dwellings including open space (all matters except for access reserved) at Land at Junction with Carr Road and Hollin Busk Lane, Sheffield S36 2SS in accordance with the terms of the application, Ref 17/04673/OUT, dated 14 November 2017, subject to the conditions set out in the attached schedule in annex C.

### Preliminary and procedural matters

2. The application was submitted in outline with all matters reserved for future consideration with the exception of access. Details of one vehicular access to the site are submitted so any other access to, and access within, the site remain a reserved matter. The site access details are shown on the plan 'Proposed Access Arrangement onto Carr Road Ref 3421 SK001 004 Revision B' which along with the 'Site Location Plan Ref 1701:01' are the plans that describe the proposal.
3. An 'Illustrative Masterplan – April 2021' was submitted for illustrative purposes only to demonstrate one way in which the site could be developed. I have had regard to this plan in the determination of this appeal. In addition, several 'Parameter Plans' all dated April 2021 were submitted. These comprise Plan 01 Rev B - Uses; Plan 02 Rev B - Movement; Plan 03 Rev B - Storey Heights; Plan 04 Rev B - Density; Plan 05 Rev B - Landscape and Open Space and Plan 06 Rev C - Character Areas. I have also had regard to these plans in the determination of this appeal.
4. The main parties agreed that the appropriate postcode for the site should be S36 2SS. I have used this agreed postcode in the banner heading above.

5. At the Inquiry, the appellant submitted a draft agreement pursuant to Section 106 of the Town and Country Planning Act 1990, dated 20 May 2021 (S106 Agreement), relating to the appeal development which would take effect should planning permission be granted. This was subsequently signed and dated 1 July 2021 and would take effect should planning permission be granted. Amongst other matters, this provides for 10% of the gross internal floor space (GIA) of the total GIA of all dwellings to be provided as affordable housing. It also provides for the design, management and maintenance arrangements for on-site and off-site drainage, public open space and species rich grassland and for financial contributions towards bus stop upgrades, off-site and on-site sustainable drainage features maintenance and adoption, a MOVA traffic signal and a traffic regulation order.
6. A Community Infrastructure Levy (CIL) Compliance Statement was submitted at the Inquiry by the Council. I have had regard to the provisions of this, and the S106 Agreement, in the consideration of this appeal. I shall return to this later in this decision.
7. The Inquiry was conducted on the basis of topic based round table sessions (RTS) involving discussions in relation to the effect on heritage assets, the effect on the character and appearance of the area and aspects of 5 year housing land supply. Matters relating to the planning issues, aspects of 5 year housing land supply and the planning balance were considered by the formal presentation of evidence.
8. Prior to the opening of the Inquiry, a number of Statements of Common Ground (SoCG) were submitted. These related to Highways and Transportation ('Highways SoCG') signed and dated 17 May and 20 May 2021, Ecology ('Ecology SoCG') signed and dated 20 May 2021, 5 Year Land Supply ('HLS SoCG') signed and dated 21 May 2021, Flood Risk and Drainage ('FRD SoCG') signed and dated 18 May and 19 May 2021, Landscape and Visual ('LV SoCG') signed and dated 24 May 2021, Planning Policy ('Planning SoCG') signed and dated 7 June and 8 June 2021 and Heritage ('Heritage SoCG') signed by the appellant only.
9. On 20 July 2021 the Government published revisions to the National Planning Policy Framework (the Framework). This was after the close of the Inquiry and before the issue of this decision letter. Both main parties were invited to submit any comments on the implications of the revised Framework that may be relevant to the consideration of this appeal.
10. The main parties agree that there are no material changes to the key sections of the revised Framework with regard to the matters for consideration in this appeal. In particular, there are no changes to the sections dealing with the agreed main issues; heritage and landscape. Similarly, there are no substantive changes relevant to the determination of this appeal in relation to the other matters, such as housing, the approach to decision making or the issues raised by third parties and addressed in the evidence to the inquiry (written and verbal); the statements of common ground; and submissions.
11. I concur with the views of the main parties that the revised Framework has no material implications for the consideration of this appeal. However, references to the Framework in this decision relate throughout to the revised Framework published on 20 July 2021 unless otherwise stated.

## **Main Issues**

12. Having taken into account the evidence before me and from what I heard at the Inquiry, the main issues are:

- The effect of the proposed development on the character and appearance of the surrounding area.
- The effect of the proposed development on the special interest of nearby heritage assets.
- The planning balance, including policy considerations, and the benefits of the scheme (including housing land supply).

## **Reasons**

### *The appeal site and proposed development*

13. The appeal site comprises a number of agricultural fields separated in parts by drystone walls and currently in grazing use with no public access. Carr Road and Hollin Busk Lane bound part of the eastern and southern site boundaries. Agricultural fields are located to the west and along part of the north western boundary. Fox Glen, an Area of Natural History Interest and Local Wildlife Site, runs along the remainder of the north western boundary with residential properties beyond.
14. A substantial residential area is located on the eastern side of Carr Road. A small cluster of Grade II Listed Buildings (Royd Farmhouse and barn buildings) are located on the western side of Carr Road and adjoin the eastern boundary of the appeal site. The land to the south of Hollin Busk Lane is allocated as Green Belt.
15. The submitted Transport Assessment<sup>1</sup> and highways and transportation evidence<sup>2</sup> identifies the public transportation facilities and distances to local services available by walking. The Highways SoCG<sup>3</sup> identifies that the main parties agree that the location of the site is sufficiently accessible and sustainable for residential use, and that future residents of the site would benefit from a similar degree of accessibility as those residents of the existing residential areas. I shall return to this matter later in this decision.
16. The submitted parameter plans, amongst other matters, identify the areas for development, open space, landscaping, storey heights and densities. These provide for a substantial area of the western portion of the site to be retained as managed grassland.

### *Planning Policy Context*

17. The development plan comprises the saved policies of the Sheffield Unitary Development Plan adopted in 1998 (UDP) and the Sheffield Development Framework Core Strategy adopted in 2009. The UDP Proposals Map<sup>4</sup> identifies that the site is allocated as an 'Open Space Area'. However, both main parties

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<sup>1</sup> CD 1.23

<sup>2</sup> Proof of Evidence (PoE) Paul Irwin CD 6.20a

<sup>3</sup> CD 6.10 paragraph 2.12

<sup>4</sup> CD 3.5

agree that the Open Space Allocation in the UDP is not fully compliant with the definition of open space as provided in the Framework<sup>5</sup>.

18. The Council is currently preparing a new draft Sheffield Local Plan. An Issues and Options consultation took place in October 2020. However, this Plan is in the very early stages of preparation and carries no weight in my determination of this appeal.
19. The Planning SoCG sets out the agreed position of both main parties with regard to the most important policies in the development plan that are relevant to the determination of this appeal. Both the UDP and the Core Strategy are of some vintage, both pre-date the initial version of the Framework and were prepared at a time when the housing need was significantly less than it is now. The UDP was designed to meet housing needs only until 2001. Furthermore, the Core Strategy has no map and makes no allocations. There was considerable discussion during the Inquiry regarding the extent to which the most important policies for the determination of this appeal are compliant with the Framework, are overtaken by events and may be 'out of date'.
20. Policy GE4 of the UDP, amongst other things, identifies 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. Whilst the appeal site is visible from the Green Belt it does not lie within it. There is no guidance in the Framework which seeks to protect the Green Belt by the control of development located outside of it. In my view, this policy is inconsistent with the Framework and consequently is out of date. I therefore attach little weight to the provisions of this policy.
21. Similarly, Policy CS 72 of the Core Strategy seeks to safeguard land on the edge of built-up areas but not in the Green Belt through protection as open countryside. Whilst the policy refers to land south of Stocksbridge (at Hollin Busk) the specific area to which this relates is not defined on any map. This policy provides absolute protection of the countryside which is inconsistent with the Framework.
22. The Framework requires that planning decisions recognise the intrinsic character and beauty of the countryside. However, this does not suggest that the countryside should be safeguarded from development as Policy CS 72 implies. The Officer report to Planning Committee also identified that Policy CS 72 should be afforded limited weight due to its conflict with the Framework<sup>6</sup>. Accordingly, I also afford little weight to the provisions of this policy.
23. Policy LR5 relates to development in open space areas. As mentioned above, the Council agrees that the site does not comprise open space as defined in Annex 2 of the Framework. The Council's second reason for the refusal of planning permission identifies conflict with parts 'i' and 'j' of the policy. Both of these parts of the policy identify that development will not be permitted if it would cause harm to the character of an area or harm to the rural character of a wedge of open countryside.
24. Notwithstanding the fact that the site is not open space within the context of the Framework, these parts of the policy are essentially countryside protection

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<sup>5</sup> CD 6.7 paragraph 6.85

<sup>6</sup> CD 1.7.

policies and seek to resist any harm to rural character. Paragraphs 130(c) and 174(b) of the Framework require development proposals to recognise the intrinsic value of the countryside and be sympathetic to local character. These aspects of the Framework do not place an outright restriction on development in the countryside. In that sense, the objectives of parts 'i' and 'j' of LR5 are inconsistent with the Framework and in my view are out of date. The Officer report to Planning Committee also identified that Policy LR5 should be afforded limited weight due to its conflict with the Framework. Nonetheless, I recognise the consideration of harm to the character of the countryside retains some degree of alignment with the Framework and therefore I attach moderate weight to these parts of policy LR5.

25. Policy CS 23 of the Core Strategy seeks a spatial approach to the location of housing development. Although it identifies that new housing will be focused on suitable and sustainable sites within or adjoining the urban area of Stocksbridge/Deepcar, it was adopted at a time when the Council's housing requirement was an average of 1,425 dwellings per year over the period 2008/09 to 2025/26, as set out in Policy CS 22. This is no longer reflective of the current housing need in Sheffield. I am therefore of the view that this policy has been overtaken by events and I afford its provisions little weight in the consideration of this appeal. In any event, given the location of the proposed development adjacent to and opposite existing development on Carr Road, I do not find that the proposal would conflict with the locational aspects of this policy.
26. Policy CS 24 of the Core Strategy identifies that priority will be given to the development of previously developed sites with no more than 12% of dwelling completions on greenfield sites within the period 2004/05 to 2025/26. Notwithstanding the fact that the housing requirement is now completely different to that when the Core Strategy was adopted in 2009, the Framework encourages the use of brownfield development which provides some support for brownfield land use in Sheffield. However, it does not advocate a brownfield first approach.
27. In this regard Policy CS 24 of the Core Strategy is both inconsistent with the Framework and overtaken by events. The Officer report to Planning Committee also identified that Policy CS 24 should be afforded limited weight due to its conflict with the Framework. I therefore consider this policy to be out of date and I have afforded limited weight to its provisions. In any event, I have no evidence before me to suggest that the 12% greenfield development limit, as set out in the policy, has been reached.
28. Although not referred to in the Council's reasons for refusal of outline planning permission, reference was made in the Inquiry to Policy CS 33 of the Core Strategy. This policy, amongst other things, identifies that new housing will be limited to previously developed land within the urban area of Stocksbridge/Deepcar. However, for the reasons explained above, this policy is also inconsistent with the Framework and I afford little weight to its provisions.
29. Policies BE15, BE19 and Policy LR5(e) of the UDP, amongst other things, relate to development that may harm the character and appearance of listed buildings and their setting. To some extent the protection objectives of these policies are consistent with the statutory duty to conserve heritage assets. However, they fail to provide any consideration of the balance to be weighed against the

public benefits of a proposal in circumstances where less than substantial harm would be caused to the significance of a designated heritage asset as required by paragraph 202 of the Framework. Consequently, I am of the view that these policies are inconsistent with the Framework and should be afforded little weight. In any event, this view does not undermine the aforementioned statutory duty that is placed on the decision maker.

#### *Planning Policy Context - Conclusion*

30. Taking the above into account, I consider that the basket of policies referred to in the Council's reasons for the refusal of planning permission are either inconsistent with the Framework or are now overtaken by events. Given the age of the development plan (UDP and Core Strategy) and the fact it predates the Framework, this is perhaps not unsurprising. However, my findings above relate only to the basket of policies that are most important for the determination of this appeal.
31. This does not undermine the statutory framework set out in section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires me to have regard to other material considerations, one of such is the Framework itself. Furthermore, this does not undermine the statutory duty to have special regard to the desirability of preserving listed buildings and their setting. However, I have found that the most important policies for the determination of this appeal are out of date which diminishes the weight that can be afforded to them.
32. Notwithstanding the need to also consider the 5 year housing land supply position in Sheffield, the effect of the above is that paragraph 11(d) of the Framework is engaged. The consequences of this are explained below following consideration of the 5 year housing supply position.

#### *Housing Supply*

33. The Council considers there is a 5.4 year supply of land for housing. This is set out in the "5-Year Housing Land Supply Monitoring Report December 2020". It is based on a local housing need figure utilising the Standard Method of 2,131 plus a 5% buffer resulting in a total requirement of 11,188 dwellings. The Council states that the net supply as at 1st April 2020 was 12,131. This results in a supply of 5.4 years which is contested by the appellant.
34. National Planning Practice Guidance (PPG) sets out a four-step process procedure for calculating local housing need. The fourth step is an "Urban Cities and Urban Uplift" which took effect on 16 June 2021 and applies to the top 20 urban local authorities in the top 20 cities and urban centres which includes Sheffield. The effect of this requires a 35% increase to be applied to the housing need figure. The Council accepts that the application of Step 4 increases the annual housing requirement to 2,923 dwellings per annum (dpa) and that when a 5% buffer is added, this produces a 5 year requirement of 15,345<sup>7</sup>.
35. The Council considers that the current year for the purposes of calculating the housing requirement is 2020/2021, which is aligned with the supply period used. It also considers that until it publishes a revised 5 Year Housing Land Supply Monitoring Report, in which the supply is updated as from 1<sup>st</sup> April

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<sup>7</sup> CD6.14 paragraph 2.6

2021, it will not be recalculating the housing requirement figure to take into account the 35% urban uplift.

36. Paragraph 2a-037 of the PPG advises that after 16 June 2021 “the new standard method (i.e. with cities and urban centres uplift) will apply for relevant decision-making purposes”. Therefore, I consider that national guidance is quite clear that the requirements of the urban uplift applies from 16 June 2021 and there are no provisions to opt-out of avoiding the effect of the uplift from this date. I have no convincing evidence from the Council to justify why the 35% uplift should not be applied after the 16 June 2021 date.
37. Irrespective of whether there are other deductions from housing supply, which are considered below, the implications of applying the 35% uplift as required by Step 4 of the calculation procedure and applying this to the Council’s last published supply has been considered by the appellant.<sup>8</sup> This demonstrates that it would result in a deficit in the 5 year requirement of 3,214 dwellings and a supply of 3.95 years. Consequently, on the basis of the required application of the Cities and Urban Centres Uplift alone I find that, for the purposes of this appeal, the Council cannot demonstrate a 5 year housing land supply.
38. A further area of disagreement between the main parties relates to the justification for the inclusion of student accommodation in the calculation of 5 year housing land supply. The PPG (Paragraph 68-034) advises that student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can in principle count towards contributing to an authority’s housing land supply. This is based on the amount of accommodation that new student housing releases in the wider housing market (by allowing existing properties to return to general residential use); and/or the extent to which it allows general market housing to remain in such use, rather than being converted for use as student accommodation.
39. The PPG further advises that this will need to be applied to both communal establishments and to multi bedroom self-contained student flats. Several units of purpose-built student accommodation may be needed to replace a house which may have accommodated several students. Authorities will need to base their calculations on the average number of students living in student only accommodation, using the published census data, and take steps to avoid double-counting. The exception to this approach is studio flats designed for students, graduates or young professionals, which can be counted on a one for one basis.
40. Evidence suggests that 2,763 student units are included in the 5 year supply that are purpose built student accommodation, including cluster flats. In order to meet the requirements of the PPG, analysis is required to calculate how many homes will be returned to general (non-student) use and/or would remain in such uses as they wouldn’t be needed by students.
41. The PPG is clear that, save for the exception of studio flats, the ratio is not one for one. In order to undertake the analysis consideration is also needed of the likely growth in student numbers to compare against supply. In this regard, if the growth is the same as new student accommodation provided then it will be

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<sup>8</sup> CD6.16- Table 2 PoE Roland Bolton



- unlikely that there will be any release of existing housing stock from student use to general market use.
42. No convincing evidence of any analysis undertaken by the Council, including student growth, was provided to demonstrate how much market housing is released and how much realistically should be added to the supply. Without demonstration on the part of the Council that the 2,763 were adding to overall housing supply, and not simply meeting the needs of a growing student population, then they should be discounted. The effect of this view is to further reduce the number of years' worth of supply which the appellant calculates, in addition to the application of the Cities and Urban Areas Uplift, would provide a supply of 3.25 years.<sup>9</sup> Even if I were to be persuaded that the urban uplift should not be applied, removing the student accommodation would take the supply to below 5 years.
  43. Considerable time was spent in the Inquiry considering whether there is clear evidence that sites that the Council has identified in contributing to housing supply are deliverable. The Framework defines "deliverable" in the Glossary and identifies two categories of sites, Category A and Category B, which require a different approach in evidence, although all sites must be available now.
  44. Category A are sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). Category B is where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register. It should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.
  45. The appellant contends that the Council's claimed supply of 12,131 units as at 1<sup>st</sup> April 2020 is now incorrect and concludes that only 10,004 are deliverable in the 5 year period thereafter. Without the Cities and Urban Areas Uplift applied, the appellant contends that this assessment reduces the land supply to 4.5 years.
  46. I have found that the Council cannot demonstrate 5 years housing land supply on the basis of the application of the Cities and Urban Centres Uplift. Therefore, it is not necessary for me to go through each of the disputed Category A and B sites in any detail other than to comment that the Council has included some housing within its 2020 Monitoring Report that the most recent evidence shows are no longer deliverable within 5 years. It has included student accommodation that requires evidence to justify its inclusion. Taken together, this would reduce the Council's housing land supply to significantly below the required 5-year supply using the Standard Method irrespective of the application of the Cities and Urban Centres Uplift.
  47. As a consequence of the above, footnote 8 of paragraph 11 of the Framework is applicable. Therefore, the relevant policies for the supply of housing should be considered as out-of-date according to paragraph 11(d) of the Framework.

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<sup>9</sup> ID19 – paragraph 57

The so called 'tilted balance' is therefore not only triggered as a consequence of the 5 year housing land position but also because the most important policies for determining this appeal are out of date. As such, 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 development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

48. In light of the above, it is necessary for me to consider the extent to which there may be any adverse impacts arising from the proposed development, and the weight to be given to these in the planning balance. Also, notwithstanding the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990, whether the policies in the Framework that seek to protect heritage assets would provide clear reasons for dismissing this appeal.

*Character and appearance – landscape character*

49. The appeal site and the local landscape is not covered by any landscape quality designation at either a national or local level. To the south west of the built-up area of Deepcar and Stocksbridge is the nationally designated landscape of the Peak District National Park. The gently rising landform to the south of the site, together with intervening elements of vegetation and the built-up area of Stocksbridge, prevent any material visibility between the site and the Peak District National Park. Both main parties agree that there would be no greater than a negligible effect upon the Peak District National Park<sup>10</sup> and I concur with this view.
50. Landscape character is assessed at a national level by Natural England through the use of National Character Area (NCA) profiles. The assessment provides an understanding and the general characteristics of these substantial landscape areas. The site, and much of the surrounding landscape that includes the settlements of Deepcar and Stocksbridge, lies within NCA 37 Yorkshire Southern Pennine Ridge.
51. Based on the evidence submitted and my own observations, the appeal site has value both in its own right and as part of the wider landscape. In addition, I acknowledge that local residents clearly value the site and the surrounding countryside. However, I agree with the main parties that the site is not a "valued landscape" within the context of paragraph 174 of the Framework. The site is typical of the landscape character of the area. However, its character is not particularly rare.
52. A Landscape and Visual Appraisal (LVA) was submitted as part of the original application and further Landscape and Visual Impact evidence was submitted as part of the appeal. I concur with the views of both main parties that the LVA has been undertaken broadly in line with best practice guidance as set out in the Guidelines for Landscape and Visual Impact Assessment (Third Edition) 2013 (GLVIA3)<sup>11</sup>. Whilst there is general agreement on the approach adopted in the LVA there is disagreement regarding aspects of some of the baseline views and the magnitude of the landscape and visual effects.

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<sup>10</sup> CD 6.8 Landscape SoCG paragraph 5.7

<sup>11</sup> CD 6.8 paragraph 5.13

53. The site and surrounding area exhibits some of the key characteristics of NCA37 of land that is subject to predominantly pastoral farming, distinctive patterns of drystone walls and a close conjunction between rural landscapes and the industrial heritage of the urban areas with urban development constrained within valley floors and up the side slopes, with location and layout strongly influenced by the landform.
54. Landscape characterisation has been undertaken at a district level by the Sheffield Preliminary Landscape Character Assessment. This report explains that this is not a completed final report, but merely the first stage in landscape characterisation. The site and the landscape south of Deepcar and Stocksbridge lies within the "Upland Character Area", and the sub area of "UP3-Upland Rolling Slopes and Valleys to the West".
55. A further layer of landscape characterisation has also been undertaken within the Peak District National Park. The "Peak District Landscape Character Assessment (2008)" explores the landscape character of the Peak District and the immediate landscape outside of the designation, which includes the landscape around Deepcar. The Character Area is subdivided into a series of Landscape Types. The site, and the landscape south of Deepcar and Stocksbridge, is located within the large "Enclosed Gritstone Upland Landscape Type". This is described as: "*An enclosed upland landscape associated with high, gently undulating uplands and broad ridge summits which radiate from the Dark Peak core, sloping in places up to higher ground. This is a landscape of isolated stone farmsteads, straight roads and regular fields enclosed by drystone walls. Rolling uplands and broad ridge summits with some steeper slopes*".
56. The site comprises six gently sloping agricultural field that are open in their character. Common to the local and wider landscape they are used for grazing. Fields are bound by a combination of gritstone walls of varying condition. The site lies on the north facing valley slopes above the River Don and is oriented towards the wider built-up area of Deepcar and Stocksbridge. It falls steadily from its southern boundary at Hollin Busk Lane to its lowest point near Fox Glen.
57. The site has very little in the way of significant landscape features. Whilst pleasant, it is not considered to be remarkably distinctive such that it is 'out of the ordinary' in landscape terms. It does not, in itself, display any pronounced sense of scenic quality. The character of the site is influenced to some degree by its relationship with the modern residential area of Carr Road and Royd Lane that border and overlook the site. To some extent, the existing development on Carr Road provides a relatively abrupt edge between the local urban and rural landscape.
58. It is clear that local residents enjoy views over the site, particularly in traversing along Hollin Busk Lane. Many of the views of the site from the surrounding area are in the context of the close relationship with the built development to the south east and north. Nonetheless, in traversing along Hollin Busk Lane from Deepcar, the site clearly forms part of the countryside that provides a sense of relief from the urban area. However, in the context of the assessment of landscape effects, I do not consider the site to have any marked sense of scenic quality, tranquillity or wildness and is not used for any formal or informal recreation. In my view, the site does make an important

local contribution to the character of this part of the countryside but is heavily influenced by the urban fringe of Deepcar and Stocksbridge.

59. Both main parties agree that the proposed development would cause some degree of harm to the landscape and visual character of the area. They differ in the degree of that harm which arises from the assessment of landscape effects, the susceptibility to change and the magnitude and significance of landscape effects.
60. Based upon my observations, the intrinsic value of the site arises from its intact, undeveloped and open fields with dry stone walls, albeit of varying quality, sloping gently towards Fox Glen. Views from the site to the north west are of a landscape of similar open fields with the village of Bolsterstone visible on the higher ground. Views looking towards the appeal site from the north west, from Hollin Busk Lane and Cockshot Lane are initially of open fields but are tempered by the urban edge of Deepcar and Stocksbridge which is visible in most of these views. Taking all of the above factors into account, I consider that the landscape has medium value.
61. Susceptibility to change is described in GLVIA3 as the capacity of a landscape receptor to absorb development without undue consequences for the maintenance of the baseline situation. There are differences between the parties in this regard with the appellant citing a medium susceptibility and the Council citing high.
62. In considering the magnitude of the landscape effects the appellant considers that, as a consequence of the overall scale of the Yorkshire Southern Pennine Ridge (NCA), the level of change arising from the proposed development upon this landscape receptor is deemed to be inconsequential and no more than negligible. At a more local level the proposed development would result in an alteration to the characteristics and features upon part of the *Upland Character Area -Upland Rolling Slopes and Valleys to the West*, and part of the *Enclosed Gritstone Uplands Landscape Type*. The appellant considers that the proposed landscaping would introduce new landscape elements such as hedges, trees and drystone walls that would be characteristic of these landscapes.
63. The appellant also considers that, given the comparatively limited visual envelope of the appeal site, much of the identified landscapes above would not be directly affected by the proposed development with impacts judged to be localised in extent with the degree of landscape change on the *Upland Rolling Slopes and Valleys to the West*, and the *Enclosed Gritstone Upland Landscape Type* being medium - low.
64. As a result of the alteration from agricultural use to built development a more pronounced magnitude of change would arise within the landscape context of the site itself. I find that the magnitude of such change would be high-medium.
65. The Council considers that the loss of the open fields would be adverse, permanent and irreversible. As a consequence, it considers the likely magnitude of landscape effects on the site and the surrounding area to be high.
66. Taking into account the evidence provided by the main parties, in this context I find it appropriate to concur with the findings of the LVA that "on the completion of the proposed development the impact on the site would result in a Moderate Adverse landscape effect. In the longer term, the GI (Green

Infrastructure) would be delivering a series of maturing habitats. In conclusion it is assessed that the landscape effects on the site would reduce to moderate - minor adverse"<sup>12</sup>. Whilst I accept that there would remain a degree of harm, I consider that the landscape effects would be localised in their extent.

*Character and appearance – visual impacts*

67. Turning now to my assessment of the visual effects, a focussed list of viewpoints was presented by the main parties including panoramic photographs. In addition to the panoramic viewpoints contained within the LVA, further verified viewpoints were also produced. I have taken these into account as well as basing my reasoning on my own observations from my visit to the site and the wider area.
68. The appeal proposals would clearly result in development where there is currently none. Such changes would permanently affect the character of the landscape in this location and would be visible from certain vantage points in the wider landscape.
69. However, there are a number of factors which would serve to limit that change. Firstly, the appeal site forms a small part of the wider landscape which would retain its general framework. The development would also be well related to Deepcar and would not appear out of place given the existing influence of urban development.
70. While landscape and layout are reserved for future consideration, there would be the potential to create a softer landscape edge, which would also reduce the landscape and visual effects. The parameters plans indicates that a considerable amount of public open space could be accommodated, including leaving a substantial area of the western portion of the site to be retained as managed grassland.
71. The open spaces which could be created within the site would not retain the current landscape character. Instead, they would incorporate balancing ponds, required as part of sustainable urban drainage, as well as play equipment and more formal and managed open spaces, as indicated on the illustrative landscape masterplan. Nonetheless, they would soften the visual and landscape effects of the development and would provide for a transitional area between urban and rural. The density of the development of the residential units would also be consistent with that found elsewhere on Carr Road.
72. Residential properties located on Carr Road, particularly those located at the southern end of the road and around the junction with Royd Lane, would experience a significant adverse change in aspect in views looking towards the appeal site. Whilst I have some sympathy with those residents who currently enjoy an open aspect across the appeal site, there is no right to a view or an open outlook. On the basis of the submitted Parameter Plans and Illustrative Masterplan, I do not consider that the resulting outlook for these residents would be so demonstrably unacceptable and of an extent to dismiss this appeal on those grounds.
73. I observed at my site visit that views of the site are obtainable from the elevated areas of Hunshelf Bank. However, given the intervening distance of such views and the dominant foreground of the existing development of the

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<sup>12</sup> CD1.11a paragraph 7.14

valley side, I consider that the proposal would have a minor impact on such views.

74. From the evidence provided in the Inquiry, it is clear that both pedestrian and car users travelling along Hollin Busk Lane are significant receptors. My attention was drawn to the 'level' nature of Hollin Busk Lane and the views obtainable from it which contribute to its value as a local recreational route.
75. There would undoubtedly be full and close-range views of the proposed development site for these receptors which would partially erode some of the rural aspect observed from this road, albeit in parts this would be tempered by the back-drop of existing development in the locality. In addition, there would be some views of the site from the sections of the footpath that runs between Bolsterstone and Hollin Busk, albeit these are partially obscured by landform.
76. Overall, taking into account the submitted evidence, I conclude that the proposal would cause a moderate-minor adverse visual effect, reducing to minor adverse on maturity of the landscaping.

*Character and appearance – whether there would be merging of settlements*

77. Stocksbridge and Deepcar are already connected with the northern extent of both settlements running interchangeably into one another along the B6088 (Manchester Road) and Wood Royd Road. I agree with the appellant in this regard that the separation which does occur between the settlements relates to the southern extents and primarily the area between Carr Road in the east and Hollin Busk Road in the west.
78. The proposed development would narrow the current gap between these parts of the settlement. However, there would still be open fields to the north west of the development and Fox Glen would prevent coalescence between the proposed development and the residential properties on Broome Grove and Fox Glen Road to the north.
79. Whilst I recognise the concerns of local residents, I do not consider that the objective of maintaining a visual break between this part of the two settlements would be undermined to an extent to cause visual harm. However, I do appreciate that the size of the gap between the two would be reduced.

*Character and appearance - Conclusion*

80. To sum up, the development of the site would result in a permanent and obvious loss of an undeveloped part of the countryside. However, due to the topography and landscape character, and when considering the scope for mitigation with any future open space, landscaping and layout, I consider that the landscape and visual harm would be low to moderate, with moderate effects experienced until the landscape planting matured.
81. In arriving at this view, I have also taken into account the previous appeal decision of 1991<sup>13</sup> for residential development that included the appeal site but related to a far larger area and a substantially different quantum of development. I have also taken into account the 2009 appeal decision for the erection of a dwelling in the garden of Royd Cottage<sup>14</sup>. Both of these decisions pre-date the original 2012 version of the Framework.

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<sup>13</sup> CD5.23a

<sup>14</sup> CD5.22

82. In summary, the proposal would have a moderately adverse effect upon the landscape character and appearance of the area. Whilst the development would involve no loss of distinctive features, there would be conflict with the broad thrust of the countryside and character protection aims of saved Policies GE4 and LR5 (i) and (j) of the UDP and policy CS 72 of the Core Strategy. However, for the reasons set out earlier, the weight to be given to these policies is limited.

*Effects on heritage assets*

83. There are no designated heritage assets within the boundary of the appeal site. However, the curtilage of Royd Farmhouse (Grade II Listed) and a Barn and associated outbuildings (Grade II Listed) are located adjacent to the eastern boundary. These form a group which share the same setting.

84. A further Grade II Listed barn is located approximately 30m to the east of No 15 The Royd and surrounded by residential properties. The Heritage SoCG identifies that both main parties agree that the appeal site is located beyond the setting of this barn<sup>15</sup> and I have no reasons to disagree with this view. Notwithstanding the fact that this SoCG has only been signed by the appellant, during the Inquiry both main parties confirmed their agreement to this view.

85. The Council indicates that the Bolsterstone Conservation Area, with a number of listed buildings located within it, is approximately 700m to the south west of the appeal site. However, views of the appeal site from the Conservation Area are relatively distant beyond open fields and the topography of the landscape means that views to and from the appeal site are relatively screened. Given the intervening distance and the context of these views, I do not consider that the development proposals would be consequential to the heritage value of the Conservation Area. Therefore, I consider that no harm would be caused to the setting of the Conservation Area.

86. Bolsterstone Glassworks scheduled monument and two Grade II listed buildings are also located approximately 900m to the north west and in areas of relatively modern development with no intervisibility between them and the appeal site. Therefore, I do not consider that the appeal proposals would impact on the setting or significance of these heritage assets.

87. The appeal proposals would have no direct effect on the listed buildings comprising Royd Farmhouse and the Barn and associated outbuildings located immediately to the east of the site. However, the issue between the main parties is the effect of the proposed development on the assets' setting and whether any such effects affect their significance.

88. The significance of these heritage assets resides primarily within their vernacular architectural and historic interest as an example of a 17<sup>th</sup> and 18<sup>th</sup> century farm being formerly part of a hillside hamlet. I agree with the appellant's heritage witness that the farmhouse and barns no longer have a functional or ownership connection with the appeal site.

89. Royd Farmhouse is a two-storey dwelling set away from the boundary with the appeal site and is surrounded on three sides by garden areas. The farmhouse appears to have been constructed to face Carr Road more than the appeal site. Pigsties are located on the western boundary of the farm. These are orientated

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<sup>15</sup> CD 6.9 paragraph 1.29.

- to face into the garden of the farmhouse and have a functional relationship with it.
90. The barn is an 'L' shaped building that has been refurbished as residential units with associated domestic gardens. It was built as a functional agricultural building and appears not to have been built to have views across the appeal site.
91. In my view, the immediate setting of the listed buildings relates predominantly to the courtyard type relationship of the former farm buildings facing Carr Road, their gardens and their relationship with the older buildings of Royd that formed the original hillside settlement. The listed buildings are a significant aspect of each other's significance and the proposed development will have no material effect on this aspect of their setting.
92. There are views of the listed buildings from the wider landscape. They can be seen from most of Hollin Busk Lane. The farmhouse and the western side of the barn become steadily more visible as one travels east along Hollin Busk Lane. These views have a positive contribution to the listed buildings as they form part of their agricultural context. However, owing to the distance of the views, the architectural interest of the buildings is difficult to discern and consequently this contribution is limited. Indeed, the existing residential development on Carr Lane appears to take a more prominent visual role in views from Hollin Busk Lane.
93. Views of the listed buildings are not readily discernible from the higher ground to the south of Cockshot Lane and therefore do not provide an appreciation of their significance. The listed barn can be glimpsed from the pathway and through the trees on the high sides of the south of Fox Glen. Such views are predominantly restricted to the upper parts of the barn and its roof and the architectural detailing is also difficult to discern in these views. I therefore consider that the views from Fox Glen and Cockshot Lane have a neutral contribution to the appreciation of the significance of the listed buildings.
94. In forming a horse-shoe shape to the north west and south west, the appeal site itself forms part of the setting of the heritage assets from where views of the farmhouse and barn can be seen from most of the site. The current agricultural fields have a positive contribution to the significance of the heritage assets as they form part of the agricultural context of the buildings. The proposed development would have a detrimental effect on the contribution that the fields collectively make to the significance of the heritage assets so their loss would be harmful to their setting.
95. The proposed development excludes part of an existing field located immediately to the north west of the barn. An area to the west of the farmhouse is shown on the submitted parameter plans to be retained as open space. The parameter plans also indicate that the proposed blocks of dwellings located nearest to the heritage assets would be limited to 2 storeys in height and provided at a lower density than elsewhere on the site. In addition, planting around the edge of the development with the retained field and open space area is proposed with a simple roofscape for the dwellings that would be located nearest to the heritage assets. Collectively, this package of measures is aimed at mitigating the impact of the proposed development on the significance of the heritage assets.



96. The heritage assets are currently well screened in views from Carr Road due to existing vegetation. There would be some limited glimpses of the appeal proposals and the heritage assets from Carr Road. Whilst there would be some change in this aspect of the setting, I do not consider that this would materially reduce the appreciation of the heritage assets in views from Carr Road.
97. The setting of the heritage assets in views from Hollin Busk Lane from the west would undoubtedly be changed by the proposed development. Direct views of the heritage assets themselves would be predominantly obscured. However, for the reasons explained above, due to a combination of distance and topography, the presence and architectural detail of the assets cannot easily be discerned. Furthermore, views from Hollin Busk Lane are an incidental aspect of relative proximity rather than an intended design view. Consequently, I do not consider that the proposed development would have an adverse effect on the appreciation of the significance of the heritage assets.
98. The proposed development would inevitably result in the loss of the contribution that the agricultural fields make to the significance of the heritage assets, albeit I do not consider that the architectural or historic interest in the buildings will be necessarily reduced. The core of the setting, which is the collection of the former farm buildings and their gardens will be unaffected, as will be their setting to the east.
99. There is no dispute between the main parties that the proposed development would cause harm to the significance of the heritage assets comprising Royd Farmhouse and the adjacent barn and outbuildings. The primary dispute between the two main parties is the level of harm that would occur.
100. Overall, taking into account the mitigation proposed, I consider that the harm to the setting of the heritage assets identified above would be less than substantial. In arriving at this view, I have also taken into account the advice contained within the PPG which advises that substantial harm is 'in general terms, a high test'. In my view, the characterisation of this by the appellant's heritage witness as being 'at the lower end of less than substantial harm' is reasonable.
101. In arriving at this conclusion, I have had full regard to the desirability of preserving the setting of heritage assets and the need to give due weight to any harm in that respect. In particular, I have taken into account the provisions of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraphs 199, 200 and 202 of the Framework. Whilst great weight is to be given to the conservation of heritage assets, less than substantial harm is to be weighed against any public benefits of the proposal.
102. In my view, the Parameter Plans and Illustrative Masterplan demonstrate that the proposed development has carefully considered how the impact upon heritage assets would be minimised to an acceptable degree. However, I have found less than substantial harm to the significance of the heritage assets as a consequence of the change to their setting that would be caused by the proposed development.
103. Taken on face value, in finding that less than substantial harm would be caused, the proposed development would be contrary to Saved Policies BE15, BE19 and LR5(e) of the UDP. However, taking into account the position regarding the 5 year housing land supply in Sheffield and the degree to which

these policies are consistent with the Framework, I have identified above that these policies should now be afforded little weight.

104. These policies remain partially reflective of the objectives of the Framework in terms of a protection approach to the consideration of harm to a heritage asset. However, they do not provide for any identification as to the significance of the harm nor for the consideration of the balance to be weighed against the public benefits of a proposal in circumstances where less than substantial harm would be caused to the significance of a designated heritage asset as required by paragraph 202 of the Framework.
105. Given that I have identified above that less than substantial harm to the significance of the heritage assets would be caused, this harm is required to be weighed against the public benefits of the proposal, which I do in a later section of this decision.

### **Other Matters raised by Interested Parties**

#### *Highway Safety*

106. There is local concern that the appeal proposal would be harmful to highway safety. The Highways SoCG has been signed by the Council's Highways Services and confirms that the submitted Transport Assessment<sup>16</sup> is 'robust and comprehensive and its content and conclusions are agreed'<sup>17</sup>.
107. The Highways SoCG identifies that the proposed access siting and design is considered to represent an appropriate solution in highway design terms (including visibility) and safety for all users. It also identifies that there are no safety concerns in terms of the interaction of the proposed access with the operation of the school, including parking and drop off.
108. The proposed access would displace a small number of on-street car parking opportunities on Carr Road, particularly at school opening and closing times. Having observed the highway conditions during school closing times, I agree with the written evidence of the appellant's highway witness<sup>18</sup> and the Highways SoCG that any displaced vehicles can be safely accommodated in the vicinity elsewhere without unacceptably increasing congestion of Carr Road or nearby streets.
109. The impact of the potential additional traffic that would be generated by the proposed development on the local highway network and highway junction capacity was also undertaken. The submitted technical evidence identifies that, with the exception of the Manchester Road/Vaughton Hill/Carr Road junctions, all other junctions are predicted to operate within capacity.
110. The Transport Assessment indicates that the additional development traffic at the Manchester Road/Vaughton Hill/Carr Road junction approximates to one new vehicle approaching this junction every 2 minutes during the busiest peak hours. The Highways SoCG identifies that such increase will be barely distinguishable from daily variations in baseline traffic flows and thus any impact will be insignificant and cannot be considered to be severe.

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<sup>16</sup> CD1.23

<sup>17</sup> CD6.10 - Highways SoCG

<sup>18</sup> CD6.20a - PoE Paul Irwin

111. The submitted S106 Agreement provides for a contribution for the installation of additional MOVA (Microprocessor Optimised Vehicle Actuation) sensors across Manchester Road and Carr Road so that Carr Road can be incorporated into the junction software. The Highways SoCG identifies that these improvements gained through a new signal control strategy will more than offset the impact of development traffic through this junction.
112. I have carefully reviewed the submitted evidence relevant to highway safety matters. I recognise local residents' concerns in this matter. However, I do not consider that there is any compelling evidence before me to suggest that the proposed development would be detrimental to highway safety of an extent to justify the dismissal of this appeal on those grounds. Furthermore, I do not consider that the residual cumulative impacts on the road network would be severe. Consequently, there would be no conflict with the guidance provided in paragraph 111 of the Framework.

#### *Sustainable location*

113. Concern was expressed by many residents that the appeal site is positioned in an unsustainable location that would place reliance on the use of the car to access local services.
114. The site is located adjacent to established residential areas that are immediately to the east, north west and north. Future residents would benefit from a similar degree of accessibility as those residents of the surrounding existing residential areas.
115. The Highways SoCG, the submitted Transport Assessment<sup>19</sup> and the evidence of the appellant's transport witness<sup>20</sup> provide walking distances (measured from an indicative position in the centre of the site) to various retail, leisure, healthcare and education facilities that are located within 2.0km of the site.
116. There is no prescriptive and definitive national or local planning policy regarding acceptable walking distances to services and facilities as these will obviously vary between individuals and circumstances. However, the Chartered Institution of Highways & Transportation (CIHT) 'Guidelines for Providing for Journeys on Foot'<sup>21</sup> (CIHT Guidelines) attempt to set out some parameters for appropriate walking distances. These have been used by the appellant in the assessment of the walking distances to facilities and I have no contrary evidence from the Council to suggest that the use of these guidelines is inappropriate.
117. The CIHT Guidelines suggest that the preferred maximum walking distance for commuting/schools is 2.0km with 1.0km being acceptable and 500m being preferred. The preferred maximum distance to walk to town centres and journeys elsewhere is 1200m respectively.
118. The submitted evidence demonstrates that the site is located within 2.0km of a number of facilities and services. In particular, the Deepcar Medical Centre and Pharmacy is identified as being 1,200m from the site, Deepcar Dental Care 1,400m, Royd Nursery Infant School 310m, Deepcar St John's Church of

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<sup>19</sup> CD1.23

<sup>20</sup> PoE Paul Irwin - CD6.20a

<sup>21</sup> CD7.15

England School 550m, Stocksbridge Junior School 1,600m and Stocksbridge High School 1,700m. The nearest convenience store (Majeed Stores) and Newsagent (Barkers News) are located 1,000m away.

119. I accept that localised gradients in this area influence the degree and distance that persons may walk and place an increased reliance on the use of the car. However, there are a range of local facilities and services that lie within the preferred maximum walking distance as set out in the CIHT Guidance. Residents of existing nearby development would predominantly use the same routes to facilities as those walking from the appeal site.
120. Taking the above factors into account, I consider that the proposed development would be adequately accessible to local facilities by means of walking. Consequently, I agree with the Highways SoCG that the site is sufficiently sustainable for residential use.
121. Turning now to public transport, the closest bus stops to the site are located on either side of Royd Lane, 290m of the site (as measured from an indicative central point). The bus stops provide access to the Number 23 and 23a bus services which provides a limited service to Barnsley and Penistone. The bus stops would be accessible to future residents of the site via the proposed new section of footway along the western side of Carr Road and the footways on both the northern and southern side of Royd Lane.
122. Further provision is also located on both the northern and southern side of St. Margaret Avenue to the north of the site, both of which are accessible within approximately 380m walking distance of the site. The bus stops provide access to the Number 57 service which the evidence in the Highways SoCG suggests provides a hourly service to Sheffield City Centre.
123. None of the existing bus stops have shelters and the S106 Agreement provides a contribution towards upgrading the bus stops to improve the facilities for public transport users. Whilst I recognise that there may be limitations to the frequency of services, I consider that residents of the proposed development would have reasonable walking access to the public transport network in the locality.
124. No substantive evidence was provided by the Council to suggest that the proposal constituted unsustainable development or was any more unsustainable than the adjoining developments immediately to the east, north west and north.
125. Taking the above factors into account, I consider that the proposal would be located on an accessible site and that prospective residents would have the opportunity to undertake walk, cycle and public transport trips. Whilst I accept that local topography is likely to cause an increase in car use, there is no basis to support the assertion that there is inadequate accessibility by non-car modes of transport and that the site is unsustainably located of an extent to dismiss this appeal on those grounds.

#### *Access to local services*

126. Concerns were expressed that some local services such as schools and healthcare have insufficient capacity to cater for the additional demands that would arise as a consequence of the occupation of the proposed development.

127. With regard to school capacity, the Officer's Report to Planning Committee<sup>22</sup> does not identify any material deficiency in school places and concludes that current forecasts suggests that if pupils were not able to be offered a place at their catchment school they should be offered at place at the neighbouring Stocksbridge School. On this basis, there is no evidence before me of a material deficiency in school places.
128. Turning now to healthcare provision, the evidence of the appellant's planning witness<sup>23</sup> identifies that there are 6 Dentists within 6 miles of the site. Five of which accept NHS patients and all accept private patients. There are 6 GPs within 5 miles which NHS data suggest that 5 out of the 6 practices have a better than average GP:Patient ratio in England of 0.58. I have no other contrary evidence to suggest that the appellant's healthcare evidence may be incorrect. Therefore, on the basis of the evidence submitted, I have no reason to suggest that healthcare provision in the area is insufficient to cope with the additional patients that would arise from the proposed development.

### *Ecology*

129. It is common ground between the main parties that the level of ecological survey work submitted in support of the planning application and in respect of an additional Phase 1 Habitat Survey completed in August 2020 (CD1.31) is comprehensive and up to date. The Ecology SoCG identifies that the submitted work provides all relevant ecological information relating to material ecological considerations to allow determination of the appeal<sup>24</sup>.
130. Natural England identified that the proposed development will not have significant adverse impacts on the designated sites comprising the South Pennine Moors Phase 1 Special Protection Area (SPA), the South Pennine Moors Special Area of Conservation (SAC) and the Dark Peak Site of Special Scientific Interest.
131. No non-designated sites of nature conservation interest are present within the appeal site. The Fox Glen Local Wildlife Site (LWS) is situated adjacent to the northern boundary of the appeal site which would be buffered by proposed landscaping. No direct access from the appeal site to the LWS is proposed.
132. The dominant habitat present within the appeal site is a species poor semi-improved grassland which the submitted evidence suggests has low ecological value. Two veteran trees present in the north west of the site would be retained with no works proposed within the root protection area.
133. On the basis of the information submitted, the responses from statutory and technical consultees, and subject to the imposition of suitable planning conditions, I am satisfied that the proposed development would have no significant impact on matters of ecology. Furthermore, the submitted parameter plans and ecological evidence suggests that there would be a net gain to biodiversity as a consequence of the proposed development.

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<sup>22</sup> [CD1.7](#)

<sup>23</sup> CD6.15a - PoE Roland Bolton pages 102-104

<sup>24</sup> CD6.11

### *Flood Risk and Drainage*

134. The site is located within Flood Zone 1 and is thus at a low risk of flooding. The Council's Flood and Water Management Services, in their capacity as Lead Local Flood Authority (LLFA), and Yorkshire Water have raised no objections to the principle of the proposed surface water drainage arrangements subject to the imposition of a number of relevant planning conditions.
135. The submitted Flood Risk and Drainage Assessment<sup>25</sup> identifies that the drainage strategy incorporates a sustainable urban drainage system with any overflow being discharged to Clough Dyke within Fox Glen. The LLFA and the Council's Ecological Unit consider that the proposed drainage arrangements would not materially harm the integrity or the ecological value of the LWS. I have no other compelling evidence to disagree with these views.
136. Whilst concerns were expressed that localised flooding already occurs on public highways in the vicinity of the site, the proposed development should not result in additional surface water runoff to the existing public highway. On the basis of the submitted evidence and taking into account the FRD SoCG<sup>26</sup> I am satisfied that the proposed development would cause no material harm to flood or drainage related matters.

### *Living conditions of local residents*

137. A number of concerns were raised in respect of privacy, noise and disturbance. In my view, the appeal site is of sufficient size to ensure that development can be accommodated to provide sufficient separation between proposed and existing development. In any event, given the outline nature of the proposals, such matters would be considered as part of any reserved matters application.
138. The proposal would likely cause noise and disturbance during the construction phase. However, such matters can be controlled through the submission of, and adherence to, a Construction and Environmental Management Plan which could be subject to an appropriately worded planning condition.

### *Air Quality*

139. The site is located within the Sheffield city-wide Air Quality Management Area for exceedances of nitrogen dioxide and particulate matter. For local air quality assessment of whether there are likely to be significant impacts associated with particular routes or corridors, the criteria contained in the Council's guidance and Highways England guidance (Design Manual for Roads and Bridges), includes whether there would be more than 60 two-way vehicle trips in any hour within 200m of an area exceeding Air Quality Limitation Values, and whether the daily traffic flows will change by 1000 average annual daily trips threshold or more.
140. The submitted Technical Note on Air Quality<sup>27</sup> uses data from the Transport Assessment<sup>28</sup> and the TRICS database. These identify that the proposed development is predicted to generate 59 two-way vehicle trips in the AM peak,

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<sup>25</sup> CD1.19

<sup>26</sup> CD6.12

<sup>27</sup> CD1.21

<sup>28</sup> CD1.23

and 583 two-way daily vehicle trips, which are below the relevant guidance thresholds for assessing whether there would be significant impacts.

141. The Council's Air Quality Officer has considered the submitted documents and advised that the proposal is not likely to have a significant effect on local air quality. Taking into account the submitted evidence and the views of the Council's Air Quality Officer, I am not persuaded that the proposed development would have a material detrimental effect on air quality.

*Brownfield first development*

142. A number of interested parties raised concerns that the proposed development would be contrary to the Council's strategy of prioritising housing development on previously developed land. This is reflected in Policies CS 24 and CS 33 of the Core Strategy. Notwithstanding the weight that I attach to the policies contained within the Core Strategy as consequence of my consideration of the policy context and my findings on housing land supply identified earlier in this decision, these policies are no longer consistent with the Framework.

143. Paragraph 120 of the Framework requires that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. Whilst this provides some support for brownfield land use, the Framework does not advocate a brownfield first approach. In this regard Policies CS 24 and CS 33 of the Core Strategy are inconsistent with the Framework and in my view are out of date. Consequently, I attach no weight to the contention that all brownfield sites should be developed first before any greenfield sites are considered for development purposes.

*Potential future land use allocation*

144. In the Inquiry residents drew my attention to the fact that the appeal site may have the potential to be allocated as Green Belt in the emerging Sheffield Local Plan. This matter was considered by the Council's North Area Panel in 2007<sup>29</sup>. However, the fact remains that the site is not allocated as Green Belt in the development plan. Notwithstanding the weight that I attach to the emerging Plan, as set out earlier in this decision, I have no compelling evidence to suggest that the Council has a clear intention to allocate the site as Green Belt as part of any future review of Green Belt boundaries.
145. Whilst I appreciate the resident's concerns in this matter, given the current position of the emerging Plan, I do not attach any weight to the fact that the land use allocation of the site may change at some time in the future.

*Other matters raised by interested persons*

146. Many other matters were raised by interested parties in the Inquiry. Although these matters have been carefully considered, they do not alter the main issues which have been identified as the basis for the determination of this appeal, particularly in circumstances where the Council has not objected to the appeal scheme for these other reasons.

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<sup>29</sup> ID9 and ID10

## **Benefits of the development**

147. The proposal would deliver a number of benefits. The Framework emphasises the importance of delivery of housing and the provision of up to 85 new homes will contribute to meeting the current shortfall that I have identified above. This requires me to attach substantial weight to the provision of market housing. Of those new homes, at least 10% GIA of the total GIA of all dwellings would be affordable housing, for which there is an undisputed need both locally and nationally. Such benefit would be consistent with the social dimension of sustainable development and is also a substantial benefit to be weighed in the planning balance.
148. In addition, the appellant suggests in the last 5 years, new housing supply in Sheffield has a predominance (74%) of apartments and purpose-built student accommodation with 'traditional' houses making up 26% of gross completions<sup>30</sup>. This is against a demand for 80% housing and 20% apartments<sup>31</sup>. This evidence, to some extent, suggests that there has been a mismatch between supply and demand. The proposed development would deliver 85 'traditional' houses and I attach moderate weight to this benefit.
149. Economic benefits would arise from expenditure on construction in the local supply chain. There would be employment benefits in terms of the provision of jobs during the construction phase. In the longer term there would be an increase in local household spending in local shops and facilities. The development would also provide New Homes Bonus and Council tax revenue. These benefits would be of moderate weight.
150. The proposal would provide for open space which would exceed the 10% policy requirement<sup>32</sup> and provides for a Local Equipped Area for Play. However, in my view, the open space would primarily serve the residents of the proposed new houses and would be of limited benefit to the existing residents of Deepcar. Consequently, such benefits are afforded limited weight.
151. There would be proposed enhancements to biodiversity including the creation of a species rich grassland. A net biodiversity gain in both habitat and hedgerow units would be achieved<sup>33</sup>. Some of these benefits are proposed to mitigate the environmental impact of the development and, collectively, I consider that they should be afforded limited weight.

## **Planning Obligation**

152. A completed agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (S106 Agreement) has been provided<sup>34</sup>. In considering whether the agreement is appropriate I have taken into account the provisions of the Community Infrastructure Levy (CIL) Compliance Statement provided by the Council<sup>35</sup>.
153. The S106 Agreement would secure affordable housing on the site comprising of at least 10% GIA of the total GIA of all dwellings on the basis of 70% as

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<sup>30</sup> CD6.15b – Table 2

<sup>31</sup> CD6.15b – paragraph A1.9 and table 5

<sup>32</sup> CD3.8 – Policy GOS1 Sheffield City Council Community Infrastructure and Levy and Planning Obligation Supplementary Planning Document (2015)

<sup>33</sup> CD6.21 Appendix 2 Annex K

<sup>34</sup> ID21

<sup>35</sup> CD6.13



affordable rented dwellings and/or social rented dwellings and 30% as shared ownership dwellings. It also provides for the design, management and maintenance arrangements for on-site and off-site drainage, public open space and species rich grassland and for financial contributions towards bus stop upgrades, off-site and on-site sustainable drainage features maintenance and adoption, a MOVA traffic signal and a traffic regulation order.

154. Having regard to the above, and based on the evidence before me, I am satisfied that all of the provisions set out in the agreement are necessary to make the development acceptable in planning terms, are directly related to the development and fairly and reasonably related in scale to the development. Therefore, they all meet the tests as set out within paragraph 57 of the Framework and CIL Regulations 122 and 123. I am satisfied with the form, drafting and content of the agreement and therefore I have attached weight to the provisions contained therein in this decision.

### **Planning Balance**

155. Notwithstanding the weight that I have found that should be attached to the cited policies in the development plan, I have found that the Council is currently unable to demonstrate a five year supply of deliverable housing sites. Consequently, the relevant policies for the supply of housing should be considered as out-of-date according to paragraph 11(d) of the Framework. The so called 'tilted balance' is therefore triggered, and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

156. The proposal would deliver a number of benefits. The Framework emphasises the importance of delivery of housing. The provision of 85 new homes will contribute to meeting the current shortfall. This requires me to attach significant weight to provision of market housing. Of those new homes, at least 10% GIA of the total GIA of all dwellings would be affordable housing, for which there is an undisputed need both locally and nationally, and this is also a significant benefit to be weighed in the planning balance.

157. Taking into account the identified mismatch between the typological needs of housing and supply, I have attached moderate weight to the fact that the proposal would deliver traditional housing.

158. Economic benefits would arise from expenditure on construction, in the supply chain, and in local spending from residents. The scheme would also deliver open space provision in excess of minimum policy requirements. These benefits would be of moderate weight. The proposed biodiversity net gain is also a benefit which attracts limited weight in the balance.

159. The provision of management and maintenance arrangements for on-site and off-site drainage, public open space and species rich grassland and for financial contributions towards bus stop upgrades, off-site and on-site sustainable drainage features maintenance and adoption, a MOVA traffic signal and a traffic regulation order are all required to mitigate the effects of the development. Accordingly, these matters attract neutral weight.

160. On the other hand, the proposal would also result in harm. It would result in the loss of an agricultural greenfield site which would be replaced by housing.

It would also adversely affect the experience of using the public highway network in the area.

161. There would undoubtedly be a change to the character and appearance of the appeal site with the proposed housing in place as a result of a change in the land use from an agricultural one to a predominantly residential one. The appeal site is not protected for its landscape character or quality.
162. I do not consider that the site in its current form makes such a significant positive contribution to the localised or wider landscape setting to the extent that there would be serious harm to the character and appearance of the surrounding local area as a consequence of the proposed development. There has been a meaningful attempt by the appellant to mitigate such harm as demonstrated by the Parameter Plans. In this regard there is a recognition of the need to be sympathetic to local character as set out in paragraph 130 of the Framework. However, a moderate degree of harm would still exist, albeit over time the proposed landscaping will contribute to the local green infrastructure and mitigate some of the visual effects of the development.
163. Nonetheless, I have found that the location of the proposal would have a moderate-minor adverse effect on the character and appearance of the surrounding area. Accordingly, the proposal would have a limited conflict with saved Policies GE4 and LR5 (i) and (j) of the UDP and Policy CS 72 of the Core Strategy. However, as set out earlier, only moderate and limited weight can be given to these policies as a consequence of their lack of consistency with the Framework.
164. I have also found that there would be less than substantial harm to the setting of heritage assets. In accordance with the relevant provisions of the Framework I am required to weigh this less than substantial harm against any public benefits of the proposal.
165. I have set out above the public benefits of providing up to 85 houses which include affordable housing to meet a demonstrable housing need. I have attached significant weight to these benefits. In addition, there are other social and economic benefits associated with the construction and occupation of the dwellings and I have also identified the appropriate weight that should be attached to these benefits. The significance of these public benefits outweighs the less than substantial harm that would be caused to the setting of the heritage assets identified.
166. Drawing the above together, in particular applying the significant weight to the provision housing in this circumstance where the Council cannot demonstrate a five year supply of housing, I consider that the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
167. On balance, the appeal proposal does comprise sustainable development as there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the development. Taking into account the tilted balance set out in paragraph 11(d) of the Framework, I conclude overall that the appeal should be allowed because the adverse impacts identified do not significantly and demonstrably outweigh the benefits comprising the supply of

85 new homes, when assessed against the policies in the Framework taken as a whole.

168. In reaching the above view I have taken account of all other matters that have been raised, including letters from local residents and other appeal decisions, but I have found nothing that alters my conclusion that the appeal should succeed.

### **Conditions**

169. I have considered the planning conditions, including a number of pre-commencement conditions, that were provided and agreed between the Council and the appellant and discussed at the Inquiry. I have considered these against the advice given in paragraph 56 of the Framework and the guidance contained in the section on 'Use of Planning Conditions' in the PPG. Where necessary I have amended them in the interests of clarity, precision, conciseness or enforceability.

170. I have attached conditions limiting the life of the planning permission and setting out the requirements for the submission of reserved matters (condition Nos. 1-4). I have imposed a condition (No. 5) relating to the approved plans in the interests of certainty.

171. As part of the submission of reserved matters a condition is necessary to set out the parameters relating to uses on the site, pedestrian, vehicle and cycle movement, dwelling storey heights, density, landscape and open space and character areas (condition No 6).

172. In the interests of protecting the ecology of the area, and in the interests of protecting the character and appearance of the area, conditions requiring the submission and implementation of a Landscape and Ecological Management Plan (condition 8), protection of existing trees (condition No 9), provision of the species rich grassland (condition No 18), interventions to dry stone walls (condition No 25), and the submission and implementation of a scheme of landscaping (conditions Nos 28 and 29) and details of proposed site levels and finished floor levels (condition No 7). However, I have amended suggested conditions Nos 9, 25, 28 and 29 to reflect the phasing of development, where appropriate, and provide an implementation mechanism.

173. Conditions requiring a site investigation of the nature and extent of any coal mining risks and contamination affecting the site, along with any requisite remediation, are necessary to ensure that the development can be safely undertaken and to safeguard the health and well-being of future occupiers (conditions Nos. 10, 16, 17, 26 and 30). However, I have amended suggested condition No 17 to ensure its implementation.

174. A condition requiring an investigation and the recording of the potential archaeological interest on the site is necessary in order to ensure that any archaeological interest is recorded or safeguarded (condition No 11). To promote sustainable modes of transport and reduce the need for travel by car, conditions are necessary to secure the submission and implementation of a Travel Plan and the implementation of electric vehicle charging points (conditions Nos 22 and 27). In order to assist in reducing the need for travel and to provide adequate access to full fibre broadband a condition requiring the provision of broadband infrastructure is necessary (condition No 20).

175. In the interests of highway safety and the free flow of traffic, conditions are necessary requiring the implementation of the necessary highways and access works (conditions No 23 and 24). In order to ensure that the surface water arising from the proposed development can be appropriately drained and does not either cause off-site or on-site flood risk, conditions are necessary requiring the submission of details of the proposed drainage scheme and to ensure that the development is undertaken in accordance with the Flood Risk Assessment and Drainage Strategy (conditions Nos 12 and 31). However, I have amended suggested condition No 12 in the interests of precision.
176. A condition is necessary in order to promote the use of renewable or low carbon energy in the development and in the interest of sustainable development (condition No 13). The submission and approval of a Construction Environmental Management Plan and Construction Method Statement is necessary to safeguard the living conditions of local residents and in the interests of highway safety (conditions Nos 14 and 15). However, I have amended the suggested condition No 15 in respect of the minimisation of the deposition of material on the public highway.
177. In the interests of maximising the economic and social benefits of the proposed development, a condition is necessary requiring the submission and implementation of an Employment and Development Plan (condition No 19). However, I have amended the suggested condition in the interests of precision. In order to ensure the phased implementation of on-site open space and equipped play space, a condition is necessary in the interests of the living conditions of the future occupiers of the development (condition No 21).

### **Conclusion**

178. For the above reasons, based on the evidence before me and having regard to all other matters raised, I conclude that the appeal should be allowed.

*Stephen Normington*

INSPECTOR

## **ANNEX A: APPEARANCES**

### FOR THE LOCAL PLANNING AUTHORITY

Guy Williams	of Counsel instructed by Sheffield City Council
He called	
Laura Stephens MA	Planning Officer, Sheffield City Council
Adam Chapman BA(Hons), Dip TP	Principal Planning Officer, Sheffield City Council
For the Council (Round Table Sessions)	
Ruth Masood BA(Hons), MSc, Dip URP, MRTPI, IHBC	Senior Development Officer, Sheffield City Council
Ricardo Ares BEng(Hons), Dip LA, CMLI	Ares Landscape Architects Limited

### FOR THE APPELLANT

Richard Sagar	instructed by Hallam Land Management
He called	
Roland Bolton BSc(Hons), MRTPI	Senior Director, DLP Planning Ltd
For the Appellant (Round Table Sessions)	
Rob Bourn BA, MA, MCIfA	Managing Director, Orion Heritage Ltd
Brian Denney BA(Hons), DipLA, FLI CENV, MIEMA	Landscape and Environmental Director, Pegasus Planning Group Ltd
James Stacey BA(Hons), Dip TP, MRTPI	Director, Tetlow King Planning Ltd

### INTERESTED PARTIES

Miriam Cates MP	Member of Parliament, Penistone and Stocksbridge
Andy Tickle	Head of Campaigns, CPRE Peak District and South Yorkshire.
Peter Morgan	Friends of Hollin Busk
Ruth Morgan	Friends of Hollin Busk
Jeanette Mills	Local Resident

Elaine Smith

Councillor Richard Crowther

Councillor Francyne Johnson

Dennis Pindar

Friends of Hollin Busk

Mayor Stocksbridge Town Council

Sheffield City Councillor

Chair Stocksbridge and Deepcar  
Historical Society

**ANNEX B: LIST OF DOCUMENTS SUBMITTED DURING THE INQUIRY**

- ID1 Appellant's opening statement
- ID2 Council's opening statement
- ID3 Transcript of Statement read by Andy Tickle
- ID4 Agreed Plans List submitted by appellant dated 22 June 2021
- ID5 Email from Jeanette Mills to Planning Inspectorate dated 18 June 2021
- ID6 Transcript of Statement read by Jeanette Mills
- ID7 Extract from PPG Paragraph: 042 Reference ID: 3-042-20180913 Revision date: 13 09 2018 - How should authorities count student housing completions?
- ID8 Revised Figures 6.1 and 6.2 Mr Stacey's Proof of Evidence
- ID9 Report of Sheffield City Council Development Services to North Area Panel dated 20 March 2007 regarding the Development of Planning Policy for the Hollin Busk Site
- ID10 Minutes of Sheffield City Council North Area Panel dated 20 March 2007
- ID11 Summary of Provisions of Schedule 2 of S106 Agreement provided by the appellant
- ID12 Agreed revisions to proposed planning conditions Nos 8 and 23
- ID13 Transcript of Statement read by Councillor Francyne Johnson
- ID14 Transcript of Statement read by Councillor Richard Crowther
- ID15 Transcript of Statement read by Elaine Smith
- ID16 Transcript of Statement read by Peter Morgan
- ID17 Transcript of Statement read by Dennis Pindar
- ID18 Closing submissions of behalf of Council
- ID19 Closing Submissions on behalf of appellant
- ID20 Approved Judgement Wavendon Properties Ltd v. Secretary of State for Housing, Communities and Local Government v Milton Keynes Council [2019] EWHC 1524 (Admin)
- ID21 Completed Agreement pursuant to Section 106 of the Town & Country Planning Act 1990 dated 1 July 2021 submitted by the appellant

## **ANNEX C: SCHEDULE OF CONDITIONS**

### *Standard time limit*

- 1) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 2) Details of the (a) appearance, (b) landscaping, (c) layout, and (d) scale (matters reserved by this permission) shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 3) The development approved under the first application for approval of reserved matters shall commence not later than 2 years from the date of approval of the last of the reserved matters to be approved under the first application.
- 4) Each subsequent application for approval of reserved matters for any phase of the development shall commence not later than 2 years from the date of the approval of the last of the reserved matters to be approved for that phase.

### *Details and drawings subject to the permission*

- 5) The development hereby permitted shall be carried out in accordance with the following approved plans:
  - a) Location/Red Line Plan received via email and published on the 5<sup>th</sup> March 2018.
  - b) Proposed Access Arrangement onto Carr Road (Ref: 3421 SK001 004 Revision B) published on 29 November 2017 and included within the submitted Transport Assessment dated 27 June 2017.
- 6) Any reserved matter application shall be designed in general accordance with the following plans and documents:
  - Parameter Plan 01 rev B – Uses
  - Parameter Plan 02 rev B – Movement
  - Parameter Plan 03 rev B – Storey Heights
  - Parameter Plan 04 rev B – Density
  - Parameter Plan 05 rev B – Landscape and Open Space
  - Parameter Plan 06 rev C – Character Areas
  - Design and Access statement

### *Pre-commencement conditions*

- 7) No development shall take place until details of the existing site levels, proposed site levels, and proposed finished floor levels have been submitted to and approved in writing by the local planning authority. The development shall be completed strictly in accordance with the approved levels.
- 8) No development shall commence until a Landscape and Ecological Management Plan (LEMP), including short, medium and long term aims and objectives, management responsibilities, maintenance schedules for all distinct areas and timeframes for implementation, has been submitted



to and approved in writing by the local planning authority. The LEMP shall thereafter be implemented and maintained as approved.

The LEMP shall include:

- a) Details of mitigation and enhancements in relation to:
    - i. Woodland and hedgerow planting within the site on the western boundary, including adjacent to Fox Glen.
    - ii. Boundary treatment to prevent public access to the western field within the site and to prevent pedestrian access from the site to Fox Glen, to which there shall be no pedestrian access provided.
    - iii. External lighting design within the site including a 'dark corridor' adjacent to the Fox Glen Local Wildlife Site (LWS).
    - iv. Details of home information leaflets on the ecological importance of Fox Glen and appropriate routes to and from the site using existing public rights of way.
    - v. The provision of species rich grassland and a grazing regime for the western field.
    - vi. The provision of a wader scrape to the north western part of the site.
    - vii. Details of arrangements for sequentially addressing impacts of the proposed drainage outfall from the balancing facility to Clough Dyke during the construction phase, including details of the timeline between works commencing on site and the establishment of a managed surface water input to Clough Dyke.
    - viii. Measures to provide for the mitigation referred to in the Water Framework Directive Screening Assessment as set out indicatively on the Green Infrastructure Proposals drawing (7301-L-02) and in Section 5.0 and in paragraphs 6.3 and 7.5 of the Ecology: Additional Information Document (rev A) dated October 2018 prepared by FPCR (CD1.17a), and Section 6.0 of the Water Framework Directive Assessment dated October 2018 prepared by FPCR (CD1.17c) and in paragraph 5.28 of the Ecological Impact Assessment (EcIA) dated May 2021 prepared by FPCR (CD6.21).
  - b) A plan showing hedgehog highways and hedgehog friendly boundary treatment.
  - c) Measures to secure an overall biodiversity net gain above the baseline value of the site.
  - d) Locations and specifications of a minimum of 10 integrated bird and 10 integrated bat boxes to be provided on the new dwellings
  - e) A wildlife crossing point comprising the implementation of dropped kerbs at the junction of Carr Road.
  - f) A schedule identifying when the measures agreed above will be implemented.
- 9) No development shall commence until full details of measures to protect the existing trees, shrubs, and hedges (within and adjoining the site boundary) to be retained, have been submitted to and approved in writing by the local planning authority and the approved measures have

thereafter been implemented. These measures shall include a construction methodology statement, any phased implementation and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2012 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The local planning authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the relevant phase of development.

- 10) No development shall commence unless the intrusive site investigation works described in the Coal Mining Risk Assessment (Stage 1 Geo-Environmental Desk Study Report - Report No. HLT/09r1) dated June 2016 prepared by ARP Geotechnical Engineers Ltd have been carried out as recommended and a report of the findings arising from the intrusive site investigations has been submitted to and approved in writing by the local planning authority. Where the investigations indicate that remedial works are required, a scheme of remedial works shall be submitted to and approved in writing by the local planning authority before the development commences and thereafter the remedial works shall be carried out in accordance with the approved details.
- 11) Prior to the submission of any reserved matters application, an archaeological evaluation of the application site shall be undertaken in accordance with a Written Scheme of Investigation (WSI) that has first been submitted to and approved in writing by the local planning authority. The WSI shall set out a strategy for archaeological investigation and shall include:
  - i. The programme and method of site investigation and recording.
  - ii. The requirement to seek preservation in situ of identified features of importance.
  - iii. The programme for post-investigation assessment.
  - iv. The provision to be made for analysis and reporting.
  - v. The provision to be made for publication and dissemination of the results.
  - vi. The provision to be made for deposition of the archive created.
  - vii. Nomination of a competent person/persons or organisation to undertake the works.
  - viii. The timetable for completion of all site investigation and post investigation works.

Development shall only take place in accordance with the approved WSI and the development shall not be occupied until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled.

- 12) No development shall commence until full details of the proposed surface water drainage scheme, including a phasing plan, calculations, and appropriate model results, have been submitted to and approved in writing by the local planning authority. This shall include:

- a) Calculations to demonstrate that 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 with an allowance for up to 10% urban creep subject to development density. 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.
- b) The arrangements and details for surface water infrastructure management for the lifetime of the development.
- c) Details of the connection and discharge of surface water to Clough Dike.
- d) Details of phasing of drainage provision, where appropriate.

The scheme shall include source controls whereby the management of water quantity and quality are provided prior to discharging into Clough Dyke. The approved 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.

- 13) No development shall commence until a report has been submitted to and approved in writing by the local planning authority, identifying how a minimum of 10% of the predicted energy needs of the completed development will be obtained from decentralised and renewable or low carbon energy, or an alternative fabric first approach to offset an equivalent amount of energy. Any agreed renewable or low carbon energy equipment, connection to decentralised or low carbon energy sources, or agreed measures to achieve the alternative fabric first approach, shall have been installed/incorporated before any part of the development is occupied, and a report shall have been submitted to and approved in writing by the local planning authority to demonstrate that the agreed measures have been installed/incorporated prior to occupation. Thereafter the agreed equipment, connection or measures shall be retained in use and maintained for the lifetime of the development.
- 14) No development (including demolition, construction, or other enabling, engineering or preparatory works), shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall assist in ensuring that all such activities are planned and managed so as to prevent nuisance to occupiers and/or users of nearby sensitive uses and damage to key assets/infrastructure within and adjacent to the site. It will document the Contractor's plans to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust and light nuisance as well as the proposed means of heritage and infrastructure protection.  
  
As a minimum, the CEMP shall include:
  - a) Strategies to mitigate any residual effects from noise, vibration, and light that cannot be managed to comply with acceptable levels at source.

- b) Details relating to the permitted working hours on site.
- c) A fugitive dust management plan.

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

- 15) No development (including demolition, construction, or other enabling, engineering or preparatory works) shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the local planning authority. The approved CMS shall be adhered to through the construction period and provide for the following matters in respect of the development of that phase:
- a) The parking of vehicles of site operatives/contractors and visitors.
  - b) Means of access for construction traffic.
  - c) Loading and unloading of plant and materials.
  - d) Storage of plant and materials used in constructing the phase of development.
  - e) The erection and maintenance of security hoarding.
  - f) Measures to prevent mud or other deleterious material from being deposited on the public highway.
  - g) Measures to control the emission of dust and dirt during construction.
  - h) A scheme for recycling/disposing of waste resulting from demolition and construction works.
  - i) Site compound and welfare facilities.

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

- 16) Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report prepared by ARP Geotechnical Ltd and dated June 2016 shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the local planning authority prior to construction works commencing. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).
- 17) Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the local planning authority prior to the commencement of the development. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and local planning authority policies relating to validation of capping measures and validation of gas protection measures. The development shall thereafter be undertaken in accordance with the approved Remediation Strategy Report.
- 18) No development shall commence until details of an area (minimum of 1.92 hectares) of species rich grass land, to be provided within the application site, has been submitted to and approved in writing by the local planning authority. Details to include the exact location of the area, planting schedules, mechanisms to secure the areas ongoing

maintenance, the exclusion of public access (other than for maintenance purposes) and a timetable for implementation. The species rich grassland shall be implemented before any residential unit is occupied, retained in-situ and maintained thereafter in accordance with the approved details.

- 19) Prior to the commencement of the development, a detailed Inclusive Employment and Development Plan, designed to maximise opportunities for employment and training from the construction phase of the development, shall have 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 development shall be undertaken in accordance with the approved Plan.

- 20) No development shall commence until details of measures to facilitate the provision of a gigabit capable full fibre broadband within the site have been submitted to and approved in writing by the local planning authority. The details shall include:
- a) Plans showing the location and specifications of the broadband infrastructure within the site.
  - b) Full details of a connection point at or adjacent to the site boundary to enable the site to be connected to existing or future planned gigabit broadband infrastructure in the locality.
  - c) A timescale for the implementation of the above.

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

- 21) No development shall commence until a phased implementation plan providing full details of the on-site open space and equipped play space has been submitted to an approved in writing by the local planning authority. The details shall include:
- a) The delineation and siting of the open space.
  - b) Type and nature of the equipment to be provided in the play space.
  - c) Hard and soft landscaping, surfacing and any required boundary treatment and signage.
  - d) Phasing and timescales for the implementation of the specified areas.
  - e) Arrangements for the long-term management and maintenance of the play and open spaces.

Thereafter the development shall proceed in accordance with the approved details specified in this condition and the open space shall be provided in each relevant phase before the occupation of any dwellings within that phase.

*Specific stage conditions*

- 22) Prior to the occupation of any dwelling, details of a scheme to provide 20% of the dwellings hereby permitted with on-plot electric vehicle charging points and a further 30% of the dwellings with infrastructure to facilitate on-plot electric vehicle charging points shall be submitted to

- and approved in writing by the local planning authority. Such scheme shall identify the dwellings to which the requirements of this condition relates and no dwelling identified in the approved scheme shall be occupied unless and until the relevant provision has been provided in accordance with the approved details. The measures secured pursuant to this condition shall be retained thereafter.
- 23) No above ground works shall commence until the highway's improvements (which expression shall include traffic control, pedestrian and cycle safety measures) 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 and the dwellings shall not be occupied until the highway improvements generally in accordance and as shown on the site access plan (Ref: 3421 SK001 004 Revision B) published on 29 November 2017 and included within the submitted Transport Assessment dated 27 June 2017 have been carried out;
  - c) any necessary Traffic Regulation Order (TRO) is made in respect of part b) to this condition. 'Made' means that the TRO has been approved and can be implemented. No dwellings shall be occupied until the Traffic Regulation Order referred to above is implemented and brought into force.
- 24) Prior to the improvement works indicated in condition 23 being carried out, full details of these improvement works shall have been submitted to and approved in writing by the local planning authority.
- 25) Details of any interventions/alterations to the existing dry-stone walling within the site not approved as part of the reserved matters application shall have received the prior written approval of the local planning authority. Any such interventions/alterations shall be undertaken only in accordance with the approved details.
- 26) Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy Report, as required by virtue of condition No 17, a Validation Report shall be submitted to the local planning authority. No dwelling shall be occupied until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.
- 27) No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall include, but is not confined to:
- a) Clear objectives and modal split targets.
  - b) A timetable for implementation (which shall include the provision of discounted public transport tickets to be provided to new residents) with arrangements to review and report back on progress being achieved to the local planning authority.

- c) Provision for the results and findings to be independently verified/validated.
- d) Provisions to ensure 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.
- e) The air quality mitigation measures as set out in the Air Quality Assessment.

The Travel Plan shall be implemented as approved.

- 28) A detailed hard and soft landscape scheme shall be submitted to and approved in writing by the local planning authority before any above ground works commence, or within an alternative timeframe to be agreed in writing by the local planning authority. Such scheme shall include a phasing and implementation plan.
- 29) The approved landscape works as identified in the scheme submitted pursuant to the requirements of condition No 28 for the relevant phase shall be implemented prior to the occupation of any dwelling within such phase or within an alternative timescale to be first approved by the local planning authority. Thereafter the landscaped areas shall be retained, and they shall be cultivated and maintained for a period of 5 years from the date of implementation and any plant failures within that 5 year period shall be replaced.

*Compliance conditions*

- 30) 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.
- 31) The development shall be carried out in accordance with the Flood Mitigation measures identified in Section 6.25 within the submitted Flood Risk Assessment and Drainage Strategy prepared by ARP Associates (Report 1265/10r1 dated 19/04/2017).