



## Appeal Decision

Site visit made on 2 January 2024

by **L Wilson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 15 February 2024**

**Appeal Ref: APP/J4423/W/23/3325851**

**Land between Hollin Busk Road and Broomfield Grove, Broomfield Lane, Stocksbridge, Sheffield S36 2AQ**

- 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 Ltd against the decision of Sheffield City Council.
- The application Ref 22/02303/OUT, dated 10 June 2022, was refused by notice dated 13 January 2023.
- The development proposed was originally described as "outline planning application for up to 92 dwellings (including 10% affordable housing) with public open space, landscaping and sustainable drainage system (SuDS) with vehicular access points from Broomfield Lane and Hollin Busk Road. All matters reserved except for means of access."

### Decision

1. The appeal is allowed and planning permission is granted for an outline application for the erection of up to 92 dwellinghouses and associated vehicular and pedestrian access (all matters reserved except Access) at land between Hollin Busk Road and Broomfield Grove, Broomfield Lane, Stocksbridge, Sheffield S36 2AQ in accordance with the terms of the application Ref 22/02303/OUT, dated 10 June 2022, subject to the attached schedule of conditions.

### Preliminary Matters

2. I have taken the appeal site address in the heading and formal decision above from the appeal form, with the addition of the postcode from the Council's decision notice, as this is more precise. In addition, the description of development in the formal decision has been taken from the appeal form and decision notice. This is because it is a more accurate reflection of the development for which permission is sought.
3. The application was submitted in outline with all matters reserved for future consideration except for means of access. Appearance, landscaping, layout and scale are reserved matters for future approval. I will proceed on the basis that details shown on the submitted drawings in respect of matters that are reserved for future approval are for illustrative purposes only.
4. Since the appeal was submitted, a revised version of the National Planning Policy Framework (the Framework) has been published. The main parties were given the opportunity to comment on any relevant implications for the appeal. The main parties were also given the opportunity to comment on the schedule of conditions. In reaching my Decision, I have taken into account the comments raised in relation to these matters.

## Background

5. A parallel planning application<sup>1</sup>, for the erection of up to 75 dwellings, was submitted alongside the planning application subject to this appeal. Planning permission was granted for that scheme in June 2023. The red line boundaries of the two schemes are identical, but the proposal before me includes an access from Hollin Busk Road. The indicative layouts of the applications show that the area illustrated for development differ. The illustrative scheme for the proposal before me shows houses on an area of land to the northwest of the site, whereas the approved scheme does not include dwellings within this area.
6. Planning permission was granted, at appeal, for the development of up to 85 dwellings on land at the junction of Carr Road and Hollin Busk Lane<sup>2</sup>. A number of the Inspector's findings from that appeal are relevant to the appeal before me. For example, both sites relate to land within the same Open Space Area (OSA) designation and are in close proximity. I have therefore had regard to that appeal decision and the parallel planning application in reaching my Decision.

## Main Issue

7. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

## Reasons

### *Planning Policy*

8. Policy LR5 of the Sheffield Unitary Development Plan (1998) (UDP) is relevant as the site is identified as being within an OSA. This Policy sets out that development will not be permitted where one or more of the criteria are breached.
9. The appeal site is part of a privately owned area of open countryside and is not accessible to the public. The site's value to the local community is its visual amenity due to its open character and appearance from public vantage points located outside the site along with views from private residential properties. The site does not provide any opportunities for sport and recreation. The site therefore does not comprise open space as defined in Annex 2 of the Framework.
10. Paragraphs 135 and 180 of the Framework require development proposals to recognise the intrinsic value of the countryside and be sympathetic to local character. Parts (i) and (j) of Policy LR5 are more restrictive than the Framework as they seek to resist any harm to rural character, but they do retain some consistency with the Framework's objectives. Consequently, I see no reason to disagree with the Carr Road Inspector's findings and I attach moderate weight to parts (i) and (j) of Policy LR5.

### *Character and Appearance*

11. The appeal site comprises a number of open fields separated by low dry stone walls which run along Broomfield Lane to the junction with Hollin Busk Road. The land slopes gently to the south, up from Broomfield Lane. Dwellings, which

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<sup>1</sup> 22/02302/OUT

<sup>2</sup> APP/J4423/W/21/3267168

form part of Stocksbridge, are located to the east and west of the appeal site. Stockbridge Youth Centre, Stockbridge Cricket Club and Stockbridge Park Steels Football Club are located towards the north, and open land is located to the south of the site.

12. The site falls within National Character Area 37 – Yorkshire Southern Pennine Fringe. In addition, the Sheffield Preliminary Landscape Assessment places the site within UP2 'Pastoral Hills and Ridges'. The landscape is held to be of moderate quality with its greatest attribute being its openness, comprising of fields enclosed by stone boundary walls. The site is not a 'valued landscape'.
13. Notwithstanding the outline nature of the application, the illustrative masterplan and landscape masterplan indicate how the proposed development could be accommodated on the site. The plans show the residential development located fairly centrally within the site with green spaces, attenuation basins, and a play area separating the residential development from Broomfield Lane. To the south of the site the landscape masterplan shows areas of wildflower meadows and an informal play area. The plans show that a green corridor could separate the 75-units in the east and 17-units in the west. In addition, they show dry stone walls could be retained and repaired, and additional tree and hedgerow planting could be undertaken.
14. The Landscape and Visual Appraisal (LVA) concludes that from a landscape and visual perspective, the development of the site will bring about a high magnitude of change to the land use and existing grassland vegetation within the site. The effect is considered to be major - moderate adverse.
15. The appeal site currently provides a sense of relief from the built-up area. The site is visible from a wide range of views. Consequently, the development would be visible from surrounding roads, the surrounding footpath network, and from more distant locations, as shown in the LVA viewpoints. Nevertheless, the combination of the sloping landform and the surrounding residential development would largely restrict visibility of the scheme beyond the immediate areas close to the site.
16. The development would essentially fill the gap between dwellings on Hollin Busk Lane and Broomfield Grove, but this is not a gap between settlements. The masterplans also show that large amounts of green spaces could be accommodated. Being an outline application, the detail design and physical characteristics of the proposals are matters to be determined through the reserved matters application.
17. Given the size of the site and number of dwellings proposed, the development would significantly increase the level of built form in this location. The proposal would harmfully erode the rural, open, verdant countryside character and appearance of the site. Nonetheless, the development would be seen in the context of the nearby built development as the site is adjacent to the built-up area of Stocksbridge. It would therefore not be out of character with the land uses in the surrounding area. Whilst landscaping is a reserved matter, the masterplans show that landscaping and green spaces could soften the effects of the development. Taking into account the evidence before me, the harm to the local character would be limited and localised, and the level of harm would reduce over time once landscaping matures.

18. For these reasons, the proposed development would have an adverse effect locally upon the character and appearance of the surrounding area. Consequently, it would conflict with the countryside and protection aims of Policy LR5 (i and j) of the UDP, but as set out above the weight given to these parts of the policy is moderate. The proposal would also conflict with the policy aims of Policy CS74 of the Sheffield Development Framework: Core Strategy (2009) (CS) which seeks to achieve high quality design which would respect, take advantage of and enhance the distinctive features of the city, its districts and neighbourhoods. It would also conflict with paragraphs 135 and 180 of the Framework which require development proposals to contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside and be sympathetic to local character.

## **Other Matters**

### *Fallback*

19. The approved application confirms the principle of development at this location. The scheme before me proposes an additional 17 homes. The illustrative plans show that the additional 17 units would be to the west of the site, with a proposed access from Hollin Busk Road. There is no robust reasoning before me to suggest that the western part of the site is more important than other parts of the site where development has been consented.
20. The decision notice of the approved scheme sets out that the development shall be carried out broadly in accordance with the Master Plan (showing 75 dwellings). The planning conditions do not precisely restrict where development can take place within the site. Thus, there are no planning conditions to restrict development occurring in the area to the west. Nonetheless, appearance, landscaping, layout, and scale are reserved matters for future approval and the Council would consider the location of the dwellings at reserved matters stage.
21. The development of the western area would erode the open and green character of this part of the site. However, if the approved scheme was built, the western area would no longer be an area of open countryside and agricultural land. Instead, the indicative plans show it would be a landscaped area which would urbanise the character and appearance of the land.
22. An area of open space in this location, instead of dwellings, would soften the impact of the development. Having said that, the western part of the site is separated from the wider countryside by The Barn and Hollin Busk Farm, and the approved development would further disconnect this section of the site from the countryside. The additional 17 dwellings would also be seen in the context of the nearby dwellings on Hollin Busk Road. Thus, this part of the site has less of a relationship with the countryside and landscape setting due to the extent of built development nearby than other parts of the site. In addition, given its location to the northwest, the development of this part of the site would have little impact on the green, open north-south link.
23. The difference between the approved and proposed scheme are limited in nature and localised. For visual receptors, the greatest increase in effect is for residents at dwellings on Hollin Busk Lane. For other receptors adjacent to the site there would be a minor change in the effects of the appeal proposal compared to the consented scheme.

24. Overall, the additional 17 dwellings would not have a substantially greater impact on the viewpoints compared to the consented scheme. The masterplans demonstrate that a high proportion of open space could be provided with the additional dwellings. There would be little difference between the approved and proposed scheme in terms of the loss of countryside, impact on character, openness and landscape setting. Thus, the extent the development would erode the open, rural and green character would not be significant having regard to the approved scheme. Consequently, considering the fallback position, the proposal would not have an unacceptably harmful impact on local character or to the sense of place.
25. Based on the evidence provided, there is a greater than a theoretical possibility that the fallback development might take place. For the reasons given above, I give the fallback position significant weight.

### *Housing Supply*

26. The proposal before me would result in the provision of up to 17 dwellings beyond the fallback position. It is not disputed that the Council is unable to demonstrate a 5-year supply of deliverable housing sites. The Council consider the supply to be 3.63 years, as set out in the monitoring report released in April 2022. The appellant suggests a lower figure of 3.13 years within their statement, and an extract from a committee report would suggest that the Council's housing supply position has worsened to a 2.87 years supply.
27. Irrespective of the definitive supply figure, the Council's housing land supply is considerably short of the 5-year requirement. The position has worsened since the Carr Road appeal decision was determined and since the committee report was published. For the reasons given above, I give significant weight to this benefit.

### *Other Benefits*

28. The appeal site is located in an area which is well served by public transport and there are services and facilities within walking and cycling distance. The scheme before me would have a slightly increased density compared to the approved scheme. It would align better with planning policy that seek to increase density where opportunities allow, and would be more characteristic of the area. The development would promote the effective and efficient use of land, as required by national policy, in an accessible location where future residents would not be reliant on a vehicle to meet their everyday needs.
29. The development would also provide economic benefits including the creation of direct and indirect jobs as a result of the construction of the site, ongoing maintenance and increase in local household spending. In addition, the development would result in biodiversity improvements. However, it would replace an undeveloped field and given the outline nature of the proposal, the actual amount of net gain in biodiversity is yet to be fully established.
30. Evidence has been provided to demonstrate that the Council has a poor record of increasing its stock of social housing, the overall stock of affordable housing is falling<sup>3</sup>, and the Council has not brought forward allocations to meet the need for family housing<sup>4</sup>. The proposed development would provide family

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<sup>3</sup> Appendix P1.5

<sup>4</sup> Appendix P1.6

housing and meet the policy requirement for the provision of at least 10% of the development comprising affordable housing. The affordable housing would be secured as part of the S106 Agreement.

31. For the reasons given above, I give moderate weight to the economic, social and environmental benefits of the scheme.

*Emerging Sheffield Local Plan*

32. The appeal site was identified for residential development in the emerging plan. An amendment to the draft plan was tabled by Members, at a Special Committee, which proposed the deletion of the proposed allocation. This amendment was carried, and the consultation version of the plan proceeded without the allocation of the site. The plan, as drafted, is subject to a number of significant outstanding objections, with public examination yet to commence. Given the very early stages of the plan, and the deletion of the allocation, I give this matter neutral weight.

*Other Matters Raised by Interested Parties*

33. In addition to matters addressed above, I have considered in detail the objection comments which relate to an extensive range of matters.
34. There is no robust evidence before me to dispute the findings of the submitted Ecological Appraisal. Subject to planning conditions, the development would have an acceptable impact on wildlife and existing habitats. A Biodiversity Enhancement Management Plan, which could be secured by a planning condition, would ensure that the ecological interests of the site are maintained and that the habitat creation on site and subsequent management measures are sufficient to deliver a net gain in biodiversity.
35. The site is located within flood zone 1 and a Flood Risk Assessment and Drainage Strategy was submitted with the planning application. Considering the consultation responses, fallback position and subject to conditions, the development would be acceptable in terms of flooding and drainage.
36. A Phase 1 Geo-Environmental Desk Study and Coal Mining Assessment has been provided. Paragraph 190 states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. Subject to conditions, the proposal is acceptable in this regard, and there is no substantive information to demonstrate that the development would cause land slips.
37. Details of the appearance, landscaping, layout, and scale of the development would be considered at reserved matters stage. I am satisfied that the proposed development can be accommodated at the site which would provide acceptable living conditions for future and existing occupants, provide suitable boundary treatments and landscaping. Similarly, subject to conditions, I am satisfied that an acceptable scheme is capable of being devised at the reserved matters stage which complies with the sustainability requirements of the development plan.
38. A Transport Assessment (including Addendum) and Residential Travel Plan were submitted as part of the planning application. Considering the consultation responses, fallback position and subject to conditions, the development (including construction vehicles) would not result in unacceptable

highway safety impacts. The development would not be of a scale that could be viewed as having a residual cumulative impact on the road network that could reasonably be considered as severe. The proposed accesses are adequate, and pedestrians would be able to safely cross the road.

39. There is no robust evidence to demonstrate that the cumulative impacts of the proposal before me and other developments in the area would have an unacceptable impact on infrastructure and local services. I have also found that the development would provide economic, social and environmental benefits.
40. The site is not located within the Green Belt and whilst planning policy supports the re-use of brownfield land and vacant building, my role is to determine the appeal based on the planning merits and impacts of the proposed development before me.
41. The Council did not refuse the planning application on the other matters raised within the objection comments. Subject to appropriate planning conditions and considering the fallback position, there is no credible evidence before me that would lead me to an alternative conclusion to the Council on the other matters raised, or that could justify the dismissal of the appeal on these grounds.

#### *Planning Obligation*

42. A completed s106 agreement has been provided which makes provision for a number of obligations. The s106 would secure affordable housing of at least 10% of the gross internal floor space (GIA) of the total GIA of all dwellings to be provided as affordable housing. It also provides a land drainage scheme and the provision, and ongoing management, of the areas of open space. Based on the evidence before me, I am satisfied that the signed legal agreement, submitted with the appeal meets the relevant tests<sup>5</sup>.

#### **Planning Balance**

43. As set out above, I have found that the proposed development would be contrary to parts (i) and (j) of Policy LR5 of the UDP and Policy CS74 of the CS because it would cause harm to the character and appearance of the surrounding area. The level of harm would be limited and localised, and would reduce over time.
44. In the absence of a five year supply of housing land, paragraph Framework 11d) is engaged. Weight may still be afforded to policies depending on their consistency with the Framework. I have already found that moderate weight should be attached to parts (i) and (j) of Policy LR5 of the UDP. Policy CS74 of the CS reflects the aims of paragraphs 135 and 170 of the Framework, and for that reason I give significant weight to this policy.
45. As detailed above, I give significant weight to the fallback position and significant weight to the housing land supply benefits. I also give moderate weight to the economic, social, and environmental benefits of the scheme.
46. On balance, having taken all matters into consideration, the adverse impacts of the proposal do not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The proposal therefore benefits from the presumption in favour of sustainable development.

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<sup>5</sup> Set out in Regulation 122(2) of the CIL Regulations 2010 and Paragraph 57 of the Framework

47. Whilst I find conflicts in relation to parts (i) and (j) of Policy LR5 of the UDP and Policy CS74 of the CS, the harm arising in those regards would be outweighed by other material considerations. Accordingly, the material considerations in this instance would be of sufficient weight to indicate that the decision should be made other than in accordance with the development plan.

### **Conditions**

48. I have assessed the Council's suggested conditions, and taken into account those suggested in consultation responses and set out in the decision notice of the approved development at the site. In light of guidance found in the Planning Practice Guidance, where necessary I have amended the wording in the interests of clarity, precision, conciseness or enforceability.
49. In addition to the standard implementation condition, a condition specifying the reserved matters is required to provide certainty regarding the timescales for the implementation of the development and to provide clarification regarding the scope of future reserved matters applications. Means of access is not a reserved matter so I have removed reference to this in the condition.
50. It is necessary to attach a condition specifying the approved plans, and number of dwellings, as this provides certainty. In the interest of precision, and given the outline nature of the proposal, I have omitted the reference to the masterplan and documents submitted in this condition.
51. A condition requiring a Written Scheme of Investigation is necessary to ensure that any archaeological interest is recorded or safeguarded. Conditions relating to the Flood Risk Assessment and Drainage Strategy, drainage, and surface water discharge, are necessary to ensure satisfactory and sustainable drainage; and to ensure that flood risk is not increased.
52. In order to ensure that any contamination of the land is properly dealt with, and the safety and stability of the proposed development, conditions relating to contamination and to address risks posed by past coal mining activity are necessary. In the interests of highway safety, conditions relating to construction, delivery, and service vehicles as well as the construction period, and highways improvements are necessary.
53. To safeguard the living conditions of existing occupiers, a condition requiring a Construction Environmental Management Plan is necessary. In the interest of safeguarding the living conditions of future occupiers, a condition requiring a noise survey and sounds insulation works is necessary. In the interests of protecting the character and appearance of the area, a condition relating to the dry-stone walling is necessary.
54. To ensure the ecological interests of the site are maintained and that the habitat creation on site and subsequent management measures are sufficient to deliver a net gain in biodiversity, a condition requiring a Landscape and Biodiversity Enhancement Master Plan is necessary.
55. In the interests of delivering sustainable forms of transport, a condition relating to the travel plan is necessary. A condition requiring a report relating to energy needs is necessary to ensure that new development makes energy savings in the interests of mitigating the effects of climate change.

56. To provide adequate access to full fibre broadband, a condition regarding broadband is necessary. In the interests of maximising the economic and social benefits for Sheffield, from the operational phase of the proposed development, a condition requiring an Inclusive Employment and Development Plan is necessary.
57. I have not imposed the conditions concerning public art and the indicative layout and parking arrangements. This is because these conditions have not been robustly justified and would not meet the tests set out in paragraph 56 of the Framework. I have also not imposed the condition relating to a legally binding arrangement of the drainage system, as based on the evidence presented, this would be achieved through the s106, and the other drainage conditions would be adequate.
58. The Council's statement of case sets out a list of directives for the appellant to be aware.

### **Conclusion**

59. I realise that this decision will be disappointing to those who objected against the proposed development. However, taking everything into account, there is no compelling reason to withhold planning permission in this case. Consequently, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal succeeds.

*L Wilson*

INSPECTOR

### **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 limited to no more than 92 dwellings and shall be carried out in accordance with the following approved plans:
  - D02 (Location Plan);
  - 100-SK-001 Rev E (General Arrangement);
  - 100-SK-002 Rev E (Engineering Layout);
  - 100-SK-003 (Swept Path Analysis).
- 5) No development, including any demolition and groundworks, shall take place until a Written Scheme of Investigation (WSI), that sets out a strategy for archaeological investigation, has been submitted to and approved in writing by the local planning authority. The WSI 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.

The development shall be carried out 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.
- 6) No development shall commence until details of the surface water drainage design, including calculations and appropriate model results, have been submitted to and approved by the local planning authority. This shall include the arrangements and details for surface water infrastructure management for the lifetime of the development. The scheme shall detail phasing of the development and phasing of drainage provision, where appropriate. The scheme should be achieved by sustainable drainage methods whereby the

management of water quantity and quality are provided. Should the design not include sustainable methods evidence must be provided to show why these methods are not feasible for this site. The surface water drainage scheme and its management shall be implemented in accordance with the approved details. No part of a phase shall be brought into use until the drainage works approved for that part have been completed.

- 7) Any intrusive investigation recommended in the Phase 1 Geo-environmental Desk Study and CMRA (prepared by RLRE consulting engineers, dated 20 July 2022, Rev P02, P21-428) 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 current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020).
- 8) 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 construction works commencing. The report shall be prepared in accordance with current Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation 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.
- 9) Prior to the submission of a reserved matters application and any works commencing on site, the intrusive site investigation works described in the Phase 1 Geo-environmental Desk Study and CMRA (prepared by RLRE consulting engineers, dated 20 July 2022, Rev P02, P21-428) shall have been carried out as recommended and a report of the findings arising from the intrusive site investigations be submitted to and approved 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 by the local planning authority before the development commences and thereafter the remedial works shall be carried out in accordance with the approved details.
- 10) No development shall commence until details of the means of ingress and egress for vehicles engaged in the construction of the development have been submitted to and approved in writing by the local planning authority. Such details shall include the arrangements for restricting the vehicles to the approved ingress and egress points. Ingress and egress for such vehicles shall be obtained only at the approved points, and in accordance with the approved details.
- 11) No development shall commence until details of the site accommodation including an area for delivery/service vehicles to load and unload, for the

parking of associated site vehicles and for the storage of materials, has been submitted to and approved in writing by the local planning authority. Thereafter, such areas shall be carried out in accordance with the approved details, retained for the period of construction or until written consent for the removal of the site compound is obtained from the local planning authority.

- 12) No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Details of the cleaning equipment shall be approved in writing by the local planning authority before it is installed, and shall thereafter be carried out in accordance with the approved details.
- 13) No above ground works shall commence until the highways improvements (which expression shall include traffic control, pedestrian and cycle safety measures) listed below have either:
- i. been carried out; or
  - ii. 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 development shall not be brought into use until the highway improvements listed below have been carried out.

Highways Improvements:

- Construction of new priority junction and footways to serve the development site, pedestrian drop-crossings with tactile paving, in accordance with the submitted drawings.
  - Any accommodation works to Statutory Undertaker's equipment, traffic signs, road markings, lighting columns, highway drainage and general street furniture necessary as a consequence of the development.
- 14) Prior to the improvement works indicated in condition 13 being carried out, details of these improvement works shall have been submitted to and approved in writing by the local planning authority.
- 15) Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved by the local planning authority. The CEMP shall assist in ensuring that all site activities are planned and managed so as to prevent nuisance and minimise disamenity at nearby sensitive uses, and will document controls and procedures designed to ensure compliance with relevant best practice and guidance in relation to noise, vibration, dust, air quality and pollution control measures. The development shall thereafter be carried out in accordance with the approved details.
- 16) Prior to the commencement of development, a Landscape and Biodiversity Enhancement Master Plan shall be submitted to and approved in writing by the local planning authority. The content of the plan shall be in accordance

with details provided within the Ecology Appraisal (dated April 2022, prepared by FPCR) and include:

- i. Aftercare and long-term management and maintenance of ecological features including an appropriate monitoring strategy.
- ii. Biodiversity Net Gain calculations using the DEFRA 3.1 metric, to include 10% biodiversity net gain in line with the Council's adopted Biodiversity Net Gain Technical Advice Note (dated September 2023).
- iii. Retention of existing trees and features of ecological interest e.g. stone walls.
- iv. Native species landscaping.
- v. Wildflower areas.
- vi. Hedgerows.
- vii. SUDS, swales and ponds.
- viii. Habitat boxes on all properties and strategically sited throughout the development.
- ix. Bat boxes.
- x. Swift boxes.
- xi. Swallow 'cups'.
- xii. Starling boxes.
- xiii. House sparrow 'terrace' type box.
- xiv. General purpose 28mm hole bird boxes.
- xv. Habitat piles and refugia for reptiles, amphibians and invertebrates.
- xvi. Suitable gaps in fencing for hedgehogs to move freely through the site.
- xvii. Wildlife sensitive lighting as per the recommendations at 4.28 of the Ecology Appraisal (dated April 2022, prepared by FPCR).

Works shall then be carried out in accordance with the revised approved ecological mitigation measures and timetable.

- 17) 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.
- 18) No development shall commence until details of measures to facilitate the provision of gigabit-capable full fibre broadband within the development, including a timescale for implementation, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details thereafter.

- 19) Prior to the commencement of the development, a detailed Inclusive Employment and Development Plan, designed to maximise opportunities for both immediate and on-going employment from the operational phase of development, shall have been developed in collaboration with Talent Sheffield, and submitted to and approved in writing by the local planning authority.
- The plan shall include detailed implementation arrangements, with provision to review and report back on progress achieved, via Talent Sheffield, to the local planning authority. Thereafter the plan shall be implemented in accordance with the approved details.
- 20) The dwellings hereby permitted shall not be occupied unless a scheme of sound insulation works has been installed and thereafter retained. Such scheme of works shall:
- i. Be based on the findings of an approved noise survey of the application site, including an approved method statement for the noise survey.
  - ii. Be capable of achieving the following noise levels:
    - Bedrooms: LAeq (8 hour) - 30dB (2300 to 0700 hours);
    - Living Rooms and Bedrooms: LAeq (16 hour) - 35dB (0700 to 2300 hours);
    - Other Habitable Rooms: LAeq (16 hour) - 40dB (0700 to 2300 hours);
    - Bedrooms: LAFmax - 45dB (2300 to 0700 hours).
  - iii. Where the above noise criteria cannot be achieved with windows partially open, include a system of alternative acoustically treated ventilation to all habitable rooms.
- Before the scheme of sound insulation works is installed, details thereof shall first have been submitted to and approved in writing by the local planning authority.
- 21) Upon completion of any measures identified in the approved Remediation Strategy, or any approved revised Remediation Strategy, a Validation Report shall be submitted to the local planning authority. 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 Land Contamination Risk Management guidance (LCRM; Environment Agency 2020) and Sheffield City Council's supporting guidance issued in relation to validation of capping measures and validation of gas protection measures.
- 22) No dwelling shall be occupied until a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the local planning authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

- 23) The approved Residential Travel Plan (dated 29 April 2022, Version 1.0, produced by Fore) shall be implemented, monitored and reviewed in accordance with details set out in the Travel Plan.
- 24) Surface water discharge from the completed development site shall be restricted to a maximum flow rate of 4.7 litres per second.
- 25) 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 (telephone: 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.
- 26) Surface water and foul drainage shall drain to separate systems.
- 27) The development shall be carried out in accordance with the recommendations and mitigation measures set out in the Flood Risk Assessment and Drainage Strategy (prepared by RLRE consulting engineers, P21-428, Rev A, 21428-RLL-22-XX-RP-C-001, dated April 2022).
- 28) 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.