2020/1387

Applicant: G3 Homes Ltd

Description: Residential development of 7no. dwellings and associated works

Site Address: Land at Roughbirchworth Lane, Oxspring, Sheffield

The red line for this application has been amended during the assessment process and the site area reduced. This assessment is based on the amended scheme.

Site Description

The site comprises an area of open land which is located to the north of Roughbirchworth Lane in the village of Oxspring.

The site is 0.38ha in size and comprises a field/paddock which slopes down towards the northern boundary of the site where lies the River Don and a number of trees. On the other side of the River Don to the north is located is a small housing estate containing 16 properties, known as 'Millstones'. This contains a number of properties with rear elevations facing towards the site.

Located to the west is an area of woodland. To the south on the opposite side of Roughbirchworth Lane are residential properties, some of which have indirect views across the site. Bower Hill is located immediately next to the eastern boundary.

The site is predominately open with a belt of trees located along the river bank. The northern boundary on Roughbirchworth Lane also contains a stone wall which has partially collapsed in places. There is an opening in the wall with pillars which forms an existing access into the site.

Proposed Development

The proposed development is for 7 houses, laid out along the south western boundary of the site and accessed via Roughbirchworth Lane. Four houses are accessed by a shared private drive with a further 3 utilising a communal parking area.

The housing mix comprises 4 large, 5 bed detached houses and 3 smaller, 3 bed houses, one detached and 2 semi-detached. The houses are split level, being two storeys to the front and 3 storeys as the land falls to the rear.

The detached 3 bed house has a bedroom, lounge, kitchenette and WC at lower ground floor, a study, kitchen / diner and WC at ground floor and two bedrooms with en-suite and family bathroom at first floor.

The two semi-detached 3 beds have a lounge, WC and kitchenette at lower ground floor, kitchen diner, study and WC at ground floor and 3 bedrooms with family bathroom at first floor.

The 5 bed detached houses have a garden room, kitchenette and WC at lower ground floor, a lounge, snug and living / kitchen / diner at ground floor with integral double garage and 5 bedrooms, of which two have en-suites and a family bathroom at first floor.

Rear gardens all face towards the River Don to the north.

Planning History

94/0932 – Outline application for residential development – Refused

1. The form of development will result in the unacceptable loss of mature trees on the river bank and site frontage to Bower Hill visually detrimental to the site's character and wider landscape setting.

2007/0859 – Erection of two detached houses with garages – Refused

1. The site is allocated as Urban Greenspace in the Council's Unitary Development Plan. In the opinion of the Local planning authority the proposed development would lead to the significant loss of a Greenspace area designated due to its pleasant open character and its visual contribution to the wider locality. The compensatory provision offered by the applicants (and landowner) is not considered locationally relevant nor of the same character to compensate for the loss. As such the proposal is contrary to Policy GS34 of the Unitary Development Plan and will adversely affect the open character of the locality.

2014/0684 – Residential development of 3 no. detached dwellings and formation of driveways – Approved

Since the approval in 2014, the site has been removed from the Green Space Register and is no longer allocated as greenspace in the Local Plan or the Neighbourhood Plan.

Policy Context

Planning decision should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making.

<u>Local Plan</u>

The new Local Plan was adopted at the full Council meeting held 3rd January 2019. In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision making process.

The site is located within the Urban Fabric of the village of Oxspring.

The following policies are therefore of relevance:-

SD1 'Presumption in Favour of Sustainable Development'
GD1 'General Development'
LG2 'Location of Growth'
H1 'The number of New Homes to be Built'
H2 'Distribution of New Homes'
H4 'Residential Development on Small Non-allocated sites'

H6 ‘Housing Mix and Efficient Use of Land’
T1 ‘Accessibility Priorities’
T3 ‘New Development and Sustainable Travel’
T4 ‘New Development and Transport Safety’
D1 ‘High Quality Design and Place Making’
LC1 ‘Landscape Character’
GI1 ‘Green Infrastructure’
GS1 ‘Green Space’
GS2 ‘Green Ways and Public Rights of Way’
BIO ‘Biodiversity and Geodiversity’
CC1 ‘Climate Change’
CC2 ‘Sustainable Design and Construction’
CC3 ‘Flood Risk’
CC4 ‘Sustainable Drainage Systems (SuDs)’
RE1 ‘Low Carbon and Renewable Energy’
CL1 ‘Contaminated and Unstable Land’
Poll1 ‘Pollution Control and Protection’
I1 ‘Infrastructure and Planning Obligations’

SPD’s

- Design of Housing Development
- Trees and Hedgerows
- Parking
- Sustainable Travel

Oxspring Neighbourhood Plan

Oxspring Neighbourhood Plan June 2019 – The plan sets out the vision and objectives for the future of Oxspring and development proposed in it. The vision is:

To maintain the character of a rural village whilst moving forwards with an infrastructure that will support 21st century living.

In addition, there are 3 objectives which are to:

1. strive for the wellbeing of all members of our community
2. nurture the rural environment for future generations
3. nurture local businesses

The following policies of the Neighbourhood plan are of relevance:-

Policy OEN1 Protecting and Enhancing Natural Biodiversity Assets and Green Infrastructure

Proposals which enhance the rural character of Oxspring will be supported. For developments of two houses or more, proposals will be encouraged wherever possible to incorporate the following wildlife enhancements into landscaping schemes:

- Provision of wildflower meadows and verges and nature reserve areas to
- encourage biodiversity
- Creating wider field margins to create wildlife havens on farmland
- Establishing new and maintaining existing wildlife corridors.

Under Barnsley's strategic planning policies, existing green infrastructure is protected and enhanced and the creation of new green infrastructure is encouraged in new development proposals. Such green infrastructure could include for instance protection and creation of woodland and wildlife corridors, sustainable drainage, re-naturalisation of water courses, use of green roofs, incorporation of bat and bird boxes and other environmental assets in the area to preserve and expand the existing ecosystem network

Policy OEN2 Protecting Local Green Spaces

The following areas are protected as Local Green Space:

- A1 West Crescent Allotments
- A2 Clays Green Allotments
- A3 Roughbirchworth Lane/Long Lane Allotments
- G1 – Anthills
- G2 – Playing Fields and Pinfold
- G3 – Bower Dell
- G4 – Village Green and Playground
- G5 – Rookery
- G6 – Gordon's Garden
- G7 – Castle Dam Car Parking Area
- G8 – Longley Ings Field.

These areas are as identified on Maps 2, 3, 4, 5, 6, and 7.

New development which impacts adversely on the openness of these sites or adversely affects the attributes for which they were designated will not be acceptable other than in very special circumstances.

Policy OEN3 Planning for Climate Change

Development proposals will be considered in relation to the need to respond and adapt to the effects of climate change, particularly through the location of new development, design and construction techniques, renewable technologies, landscape and historic environment management, biodiversity, flood risk management and the use of green infrastructure.

Proposals for development which includes additional space to support homeworking will be encouraged.

New developments will be considered in relation to the need to take account of landform, layout, building orientation, massing and landscaping to maximise energy efficiency and minimise energy consumption.

Where possible development shall contribute to new or improvement to existing green infrastructure.

Policy OEN4 Landscape and Building Design Guidelines for New Development

New development will be required to demonstrate consideration of the following landscape design guidelines:

1. The retention of features such as stone walls, bridges, trees and natural landform of demonstrable interest will be encouraged, and where possible repaired and maintained.

2. New buildings should maintain a visual and physical connection with their rural context though use of traditional local materials, and designs which respond positively to the local context and immediate setting.

3. Where proposals for new buildings are located on valley sides, valley-side planting of native species to enhance wooded character of the valley and soften the urban edge will be encouraged. The use of local stone should be used for boundary features.

4. Proposals should be designed and located in order not to be unduly intrusive in the landscape and reduce its natural character. Colours and materials should be chosen carefully to integrate the development into the landscape. Muted colours, particularly on roofs, will be important in successfully integrating new development.

5. Views to existing landmark buildings such as Oxspring Viaduct, the Waggon and Horses and Travellers Inn public houses are protected, and buildings should be sited and designed to enhance these views and not be unduly intrusive.

6. The scale of built development will be crucial to its successful integration. Low rise, two storey properties are likely to be most successfully accommodated into this rural landscape. Exceptions to this may be appropriate where it is demonstrated that a third storey is required to accommodate technologies to maximise energy and resource efficiency.

Policy OM1 Improving Accessibility to the Trans Pennine Trail (TPT) and Other Routes

Proposals which provide safe, level, ramped access onto the Trans Pennine Trail (TPT) will be supported. In particular, proposals for access improvements will be encouraged at the Roughbirchworth Lane access point and if possible, from the sports field.

Proposals for improved pedestrian access down to and along the river to the north east of the employment site allocated in the Local Plan on land to the north of Sheffield Road and to the north of G4 will be encouraged. Any new or improved access routes should provide an 8 metre undisturbed buffer on either side of the River Don to protect trees and vegetation on the river banks.

<u>NPPF</u>

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, 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 as a whole; or where specific policies in the Framework

indicate development should be restricted or unless material considerations indicate otherwise. Sections and paragraphs of relevance would be:

Section 5 – Delivering a sufficient supply of homes, at the current time the Council has a 5-year housing supply.

Section 8 – Promoting healthy and safe communities

Section 9 – Promoting Sustainable transport

Paragraph 110 - In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
b) safe and suitable access to the site can be achieved for all users;
c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and
d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Section 11 – Making effective use of land

Section 12 – Achieving well-design places

Paragraph 131 - Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible.

Paragraph 134 - Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

Consultations

Air Quality – Requested EVCP are secured by condition.

Biodiversity Officer – No objections subject to conditions, more detail in the report.

Drainage – No objections, subject to the drainage strategy and discharge rate being secured through conditions.

Environment Agency – The FRA, by Topping Engineers ref 19346-FRA-001 Revision D, dated 12 March 2021 has been submitted. We have reviewed this FRA we would like to thank the applicant for taking into consideration flood risk safety to everyone who will be involved. No objections subject to a condition securing appropriate finished floor levels.

Works within 8m of the river corridor will also require a permit and new development should protect the biodiversity in this area.

Highways – No objections, detailed response is covered in the report.

Regulatory Services – No objections, subject to conditions to minimise disruption in the construction period.

Tree Officer – No objections, subject to conditions. Detailed response is covered in the report

Yorkshire Water – No objections subject to conditions.

Ward Councillors – No comments received.

Oxspring Parish Council – Various concerns including:

Design and Mix - There is a need for smaller houses in the area for existing residents to down size into and new, younger families. The proposed is for 3 x 3 bed houses and 4 x 5 bed houses.

Concerns that the scheme doesn't comply with OEN4, particularly in relation to use of materials and landscape impact on the Waggon and Houses PH. Also, the houses are all over 3 storeys which is at odds with the natural character of the area. The NP was adopted with the intentions that low rise, two storey houses will be best accommodated into the rural landscape. Exceptions should only allow a 3rd storey is it is required to accommodate technologies to maximise energy efficiency.

Traffic issues – concerns that the scale of traffic and location of the two site entrances will conflict with existing drives / accesses on to Lower Roughbirchworth Lane and traffic flow at peak times. The lane is already busy and there is a children playground on the adjacent greenspace to the site. The car park for the play area is not large enough and so on street parking occurs, blocking the footpath. The PC have requested that the lane be made one way in the past. In addition, parking for the local school causes congestion between Sheffield Road and the Waggon and Horses, with traffic using Roughbirchworth Lane to avoid this a peaks.

The dry stone wall to the front of the site is shown as retained and if the application is successful it should be conditioned.

There is a gas main crossing the site and the approach to construction and location of development will need to consider this.

The flood plain is shown on the plans but the any additional development on the site will decrease the ability of the site to retain / soak up water. This will increase run off into the River Don and create flooding issues downstream. Some of the revised drawings do not show the garden perimeters being pulled back from the river which is disappointing. If this area is outside of gardens who is responsible for maintaining it and where will the access be?

Have ecology comments been addressed requesting surveys before planning approval, including bat and otter and water vole scoping and that vegetation clearance be outside the bird nesting season.

PROW – No PROW are affected by these proposals Roughbirchworth Lane is an on-road section of the TPT but Long-term I don't see any obvious issues as long as management during construction is controlled.

Representations

The application has been consulted on through neighbour letters. A second round of consultation was issued in July as the redline boundary has changed. In total 17 responses were received to the initial consultation, with 5 alongside a petition with 14 signatures to the second one. These raised the following:

Impact on the green belt and loss of openness – *Response the site is not located in the greenbelt.*

The quota of houses for the area is already accounted for with the new development being built off wellhouse lane. – *Response - The Local Plan allows for windfall sites where they comply with other policies in the development plan.*

This section of Roughbirchworth Lane is part of the Transpennine Trail and used frequently by walkers and cyclists. The single pavement is narrow and adjacent to the proposed development side of the road so is likely to be adversely impacted. – *Response - PROW have not objected and the scale of development is such any impact will be minimal.*

Highway issues:

Speeding vehicles, often swerving to avoid potholes, accelerating down this section of Roughbirchworth Lane is a common occurrence as there are no traffic calming measures in place.

The increase in traffic and construction vehicles at the development site will render an already poor situation as most hazardous.

Entrance to the development is of great concern. The junction of Bower Hill and Roughbirchworth is fast and often cut short by drivers. This is an accident spot waiting to happen as traffic flies down Bower Hill turns at the junction and there are then cars coming in and out of this new development.

The park area next to the site is popular with locals and visitors, particularly during the summer and at weekends, with cars often parking down Roughbirchworth Lane as far as the proposed site entrance when the facility car park is full.

The lane is used increasingly as a cut-through from the main road and construction vehicles will make this situation worse along the lane, which is already in a poor state of repair.

The site access is poor and increases the hazards on the lane. There is also not enough parking in the site.

The proposed site entrance and car parking area near to the park is opposite existing driveways and should be moved further down the lane towards Bower Dell for a lesser congestion impact.

Response – the development has been assessed by Highway Officers and no objections or safety concerns have been raised. Parking within the development is sufficient and the visibility at junctions has been assessed as acceptable.

Flood Risk

The proposed development site is a drainage area into the River Don (near node point DON17_24006) ameliorating instances of flooding on the bridge located at the Bower Dell end of the site. The planned construction would modify drainage, as identified by the Flood Risk Assessment. However, a detailed drainage strategy and mitigation is not presented since the FRA is a desk study.

Data source used by the FRA is dated 2012, so not recent given the publicised rate of increase of flooding events generally.

The 1 in 100 year flood line has been reached 3 times in 2012, 2017 and 2022.

The pumping station which serves the river is already at capacity and wont cope with the extra dwellings. There will be a back up of waste.

The river floods and the bank gets very wet, this will make the houses difficult to build and the bank is redoing which will impact on the houses in the future.

Drainage is an issue in the area, surface and foul. They are not up to the task as it is and this will make it worse. How will the development not make this situation worse?

Response – the applicant has provided a Flood Risk Assessment and some drainage details. The Environment Agency have been consulted and support the findings of the FRA. In addition, Yorkshire Water and the Council's Drainage Officer have reviewed the drainage details and confirmed no objections subject to conditions. Surface Water will be stored on site and released at a greenfield rate into the River Don which ensures flood risk is not increased as a result of the development. Over and above this, the application red line and layout has been amended to pull gardens back outside of the flood zone, this is to ensure the land remains free of development and available as flood storage.

Ecology

Impact on wildlife using the site and the river. There should be a buffer along the river corridor.

Loss of the green and open feeling of the space.

Trees on the site have been regularly chopped and some felled to make the site appear bigger. How can this be stopped in the future? Will more trees be planted in the future, along the river bank to improve biodiversity and maximise screening?

Loss of and negative impact on wildlife on the river and in the field.

What guarantees are there that the river wont be damaged during construction?

Response – the application has been amended, pulling gardens away from the river corridor. This allows for a buffer along here and ensure existing trees can be retained. The applicant has also provided ecological mitigation, including additional tree planting in this area. This will be maintained through planning condition.

Overlooking / overbearing impact from the new houses which are at a higher level. vehicle lights will shine into the rear of existing properties. The houses are 3 storeys and will tower over existing properties. – *Response - the houses are split level with the 3 storey element at the rear, as the land falls. This is further mitigated with planting along the river edge and Bower Lane. Recommended separation distances are also exceeded*.

The increase from 3 to 7 will increase the impact of the development footprint. The development is too big. – *Response - the site remains below density standards and the increase to 7 provides an improved mix with some smaller units. On this basis it is felt to be the right balance.*

Noise and dust disturbance from the proposed building works. – *Response - this can be mitigated through appropriate measures secured by condition.*

There is no details on the materials proposed, the houses in the area are all stone. The last development on the lane was not in keeping with the village and this will be the same. – *Response - a condition has been added to secure materials detailed prior to commencement.*

Other Representations-

South Yorkshire Bat Group have also commented raising the following:

Additional Bat surveys are required to meet best practice guidelines.

A buffer should be provide along the river corridor of 20m, this is to ensure the important wildlife corridor is retained and avoid a repeat of the encroachment seen on the other side of the river, at Millstones.

The trees and vegetation along the river corridor are of high ecological value and haven't been sufficiently surveyed given they will fall within or adjacent property boundaries.

The bat surveys under value the site and its roll as a wildlife corridor and important foraging and habitat for bats.

10% biodiversity net gain should be secured fro this site, a scheme which is at 6.5% net loss is unacceptable and does no accord with Local Plan Policy.

Yorkshire Wildlife Trust have commented the following:

Bat surveys should be provided in accordance with best practices guidelines.

The site is shown at a 6.53% loss in net biodiversity and this is unacceptable. The scheme should be re-assessed and appropriate enhancements and mitigation incorporated into the scheme.
Due to the importance of the adjacent River Don corridor as identified as a key connective ecological corridor in the Barnsley adopted plan, a buffer is required between the proposed development and the watercourse and bankside habitat. We do not consider it appropriate for this buffer to be within the curtilage of residential properties, as these areas cannot be protected for their habitat and condition in perpetuity. The 5m buffer is not sufficient and support the SY Bat Groups suggested 20m.

The Ecological Appraisal states that trees identified as having roosting potential will be retained, and therefore no further survey work has been undertaken. However, indirect impacts such as light spillage should be considered. The lighting scheme (including horizontal illuminance contour plan) must be submitted to indicate how dark corridors are to be retained, including around these trees. If it cannot be demonstrated that there will be no indirect impact to the trees, then further survey effort is required in order to determine presence/likely absence of roost sites, and propose appropriate mitigation and compensation if required.

Response – The scheme has been amended to increase the buffer zone along the river, with appropriate mitigation to now achieve just over 10% net gain. In addition, further bat surveys have been requested and provided and whilst these are not in line with current industry guidelines, an assessment of the foraging potential of the habitats, specifically those along the River Don has been undertaken and appropriate mitigation to reduce negative impacts to foraging and commuting bats proposed. This includes the retention of all trees along the river, additional tree and wildflower planting along the river and a sympathetic lighting scheme.

Assessment

Principle of development

The site sits within the Urban Fabric of Oxspring as it is defined on the Local Plan. On this basis the starting point for assessing development is SD1, GD1 and, as this is a proposal for housing, H4.

Policy SD1 sets a presumption in favour of sustainable development and it is accepted that Oxspring is a sustainable location, being a defined village with a primary school, shop/post office, and public houses. There is also a small industrial estate with space to expand and bus services to Penistone, Barnsley, Meadowhall and Sheffield. The Trans Pennine Trail also runs through the village and provides an active travel route to Penistone Railway. Oxspring also has an adopted Neighbourhood Plan which forms part of the Development Plan. With regard sustainable development, all the proposed dwellings include space for a home office which supports homeworking in accordance with Neighbourhood Plan Policy OEN3.

Policy GD1 set various criteria which are the starting point for assessing all development with no specific allocation. In addition, Policy H4 relates to residential development on small sites, non allocated sites, allowing them where the proposal complies with other relevant policies in the Plan. The proposed is assessed against the requirements of GD1 and the relevant Local Plan and Neighbourhood Plan Policies below:

Density and Mix of Housing

Policy H6 sets a target of 30 dwellings per hectare (dph) in the villages, with developments expected to include a broad mix of house sizes, types and tenures; albeit the proposed development is small in scale and does not trigger the requirement for affordable housing.

The site is below density requirements with a DPH of 30 equating to 11 units, however, the linear nature of the site and the access arrangements work against any substantial increase in density.

In terms of mix, the proposed includes 4 five bed houses and 3 three bed houses. Given the scale of the site and constraints, it is accepted that level access dwellings would not be possible. Further, it is acknowledged in the 2021 Strategic Housing Market Assessment that there is a need for 3 bed houses in the area and so the provision of 3 on this site is a benefit.

Overall, it is accepted that although not fully in accordance with all the requirements the proposed is a relatively small scheme with limited options for variations

Design, Layout and Visual Amenity

Policy D1 'High Quality Design and Place Making' of the Local Plan states that development is expected to be of high quality design and that through its layout and design, development should contribute to place making. Policy GD1 requires development to include landscaping to provide a high quality setting for building, incorporating existing landscape features and protecting and improving the character of the local landscape.

The proposed development is for 5 houses, which are set out in a linear pattern fronting onto Roughbirchworth Lane and the adjacent greenspace. The houses are all split level, being two stories to the front and 3 at the rear, facing the river. They all have pitched roofs with some interlocking gables to the front or rear. The 5 beds all have garages either attached or integral to the property. Materials are stated to be natural pitched stone with artificial slates to the roof in black. The design and materials are in keeping with other properties in the immediate area and reflect the character of the village. The 5 bed properties are large but this is not out of keeping with the area and the site includes 3 smaller, 3 bed properties, creating a reasonable mix of sizes on a small site and providing some variation in massing.

Oxspring Neighbourhood Plan Policy OEN4 requires development to demonstrate consideration of landscape design, including the retention of features such as stone walls which this development seeks to do along the site frontage. Buildings should be of local, traditional materials with muted roofing colours and designs that respond to the local context. On valley sides, proposals should include enhancements to the wooded character of the valley and soften the urban edge. In this case, the houses are set into the hillside, being split level, with 3 storey at the rear, taking advantage of the fall of the site. This is then softened through the proposed landscaping, outside of garden areas, which includes tree planting along the river bank and Bower Hill. OEN4 seeks to retain lower rise developments, with 3rd floors usually only for renewable technologies. However, the proposed is unusual because of the steep fall of the site from Roughbirchworth Lane to the river bank. The previously approved scheme was only two storeys, but rear gardens were raised on a platform, resulting in a high, blank wall visible from Bower Hill. The proposed is felt to be a better solution, with window

detailing breaking up elevations. In addition, the landscaping (as amended) will soften the appearance when viewed from Bower Hill.

The Parish Council have raised concerns regarding views to landmark buildings, as required under OEN4. However, the landmark buildings referenced are not visually connected to the site.

The redline for the development has been amended to bring the whole site, including gardens, outside of the flood plain. This has provided an opportunity for a landscape buffer along the river bank which is a minimum of 8m and extends to 40m adjacent Bower Hill. This area will include new trees, wildflower planting and grassland all covered under a management company which will protect the area and ensure the planting and screening is retained.

Therefore, the design is accepted to be in accordance with design policies D1 and OEN4 in the Neighbourhood Plan.

Residential Amenity

The internal room dimensions and external amenity spaces provided by the proposed house types and plots meet the standards as set out in the South Yorkshire Residential Design Guidance. The houses all back onto the River Don and although they are set at a higher level there is more than 21m back to back with dwellings on the other side of the river, in addition, the existing trees will be retained and new ones planted which will provide additional screening. On this basis over looking to the rear is at acceptable levels. Where properties face existing houses on Roughbirchworth Lane, there is over 21m and privacy distances can be reduced when measuring front to front.

In terms of any impact during construction, due to the site being surrounded by existing residential developments, conditions would be required to ensure the residents are not adversely affected by noise and dust issues during the development works in accordance with Policy Poll1 Pollution Control and Protection.

Overall, the proposed design and layout as has an acceptable impact on residential amenity and is therefore in accordance with Local Plan Policy D1 and the accompanying guidance the Design of Housing SPD.

Highway Safety

Highway Officers have assessed the proposed and are satisfied with the proposals in terms of retaining structures, visibility from the access points, the matter of an easement for access to the gas main, gradients and the frontage footway width.

The 4 plots located to the west side of the site and accessed via a private drive will require sprinklers systems in lieu of having turning facilities for a fire appliance. Information provided by the Councils Building Control department indicates that if a sprinkler system is fitted in accordance with BS 9251:2014 or BS EN 12845 then the distance between the fire appliance and any point within the house (in houses having no floor more than 4.5m above ground level) may be up to 90m. This distance reduces to 75m if the house has one or more floors a distance greater than 4.5m above ground level. The proposed site layout falls within these distances and is therefore acceptable providing a sprinkler system is fitted in accordance with the standards stated above.

As such the proposals are considered acceptable and comply with Local Plan Policies T3 Sustainable Travel and T4 Highway Safety, subject to appropriate conditions.

Drainage/Flood Risk

Foul water will be to the existing sewer network, adjacent the junction of Roughbirchworth Lane and Bower Hill. Surface water is to be stored on site and discharged to the river at a greenfield rate of 3.5 litres per second. The Council's Drainage Officers have agreed the drainage strategy.

A flood risk assessment has been provided with the application which confirms the houses are all outside of the high risk flood areas and the finished floor levels are above the known flood levels on the site. The Environment Agency have been consulted and support the application subject to an appropriate condition securing minimum finished floor levels. In addition, the redline has been pulled back to ensure that all gardens are outside of the flood zones on site, in accordance with the sequential test and to remove any risk of additional development or hardstanding within the flood zones.

Yorkshire Water have not raised any concerns at this stage subject to the imposition of conditions.

The proposed is therefore in compliance with Local Plan Policies CC3, Flood Risk and CC4, Sustainable Drainage Systems (Suds).

Biodiversity

The development will result in a 10.06% net gain in habitat units and no net loss of hedgerow units, alongside the provision of an 8-40 m buffer from the River Don, this is welcomed. The red line for the application appears to encroach into the 8m adjacent plots 1 and 2 and as such a condition has been added to restrict any development from this area.

Whilst a total of four bat activity surveys have been undertaken, which is not in line with current industry guidelines, an assessment of the foraging potential of the habitats, specifically those along the River Don has been undertaken and appropriate mitigation to reduce negative impacts to foraging and commuting bats proposed. This includes the retention of all trees along the river, additional tree and wildflower planting along the river and a sympathetic lighting scheme.

Wildscape have recommended water vole and otter surveys of the adjacent watercourse but provided the proposed development can remain 8m from the river edge (including garden curtilage), surveys for these species are not considered necessary. Precautionary measures to be adopted on site to avoid harm and disturbance to these species during construction works and once the site is operational can be detailed within a CEMP which can be secured with a planning condition.

Prior to the commencement of works on site a detailed Construction Environmental Management Plan (CEMP) and a Biodiversity Enhancement Management Plan (BEMP) will be required.

The proposed is therefore considered acceptable and exceeds the requirements of Local Plan Policy BIO1 and the accompanying SPD which requires no net loss.

Trees

An amended AIA has been requested and received and now shows the protected off site trees to be retained. The document noted that some minor lifting and reduction work will be required to those trees previously shown to be removed to facilitate the implementation of the accesses, however this is not seen as being an issue. Likewise the rooting areas are shown as being impinged upon by the new access, however the level change and the presence of the wall will have limited root development in that direction and as such it is agreed that any disturbance will be very minor. The trees are located quite close to the proposed dwellings and as such some shading to the properties at the end of the access will occur, however this is to the front of the properties whilst the rear gardens should remain relatively unaffected. Likewise there is adequate separation between the trees and the dwellings and infrequent minor maintenance following the necessary application should suffice for these trees not to prove an issue.

The presence of trees on the site means that protection measures during the development works will be required as part of an arboricultural method statement and as such this document should be conditioned to be provided and then complied.

The proposed is therefore considered acceptable and exceed the requirements of Local Plan Policy BIO1 and the accompanying SPD Trees and Hedgerows.

Recommendation

Approval is recommended – subject to conditions.