

APP/J4423/W/20/3262600
Former Loxley Works,
Storrs Bridge Lane, Loxley S6 6SX

Proof of Evidence of Andrew Wood BA Hons Arch MTP
for Rule 6 Party: CPRE & Friends of Loxley Valley

Contents

		Page
1	Summary	2
2	Introduction and Declaration	4
3	Sheffield Green Belt Context	5
4	Non-Compliance with Local and National Policy	6
5	Assessing Benefit and Harm in this outline application	20
6	Housing Matters	23
7	Community Engagement and Masterplanning	24
8	Climate Change	29
9	Landscape	33
10	Conclusions	39

1. Summary

- 1.1 The scheme is contrary to the Development Plan, and this fact is not contested by the Appellant. The site falls within the Sheffield Green Belt, an Area of High Landscape Value and an Area of Special Character. There is no spatial precedent for residential development of this scale in this setting. Developing the appeal site for major residential use would dramatically change the pattern of settlement in the valley, would constitute significant sprawl into the countryside and an entirely anomalous intervention in the wider settlement pattern of western Sheffield.
- 1.2 I do not accept the Appellant's assertion that the provisions of NPPF para 145(g) remove the need for the scheme to be considered inappropriate in the Green Belt, because the site is not suitable for the type of development proposed, and because of the high degree of harm to the Green Belt.
- 1.3 UDP policy BE18 sets out a series of requirements for development in the Area of Special Character, and the appeal scheme meets none of them. In particular, an outline application with all matters reserved except access cannot provide the level of detail necessary to assess the scheme against BE18. The unsustainable location of the site for major residential development puts it significantly at odds with NPPF paras 91, 103, 108 and 110. The proposed bus service is not a credible solution to this, as dealt with in greater detail in Dr Robinson's proof.
- 1.4 The proposals only guarantee those sustainability benefits which are already baseline development expectations. Measures which might go beyond the baseline are hypothetical, being wholly dependent on the willingness of a future developer to go beyond minimum requirements at reserved matters stage. In reality there is no net enhancement offered to meaningfully redress the harms associated with Green Belt impact and unsustainable location.
- 1.5 Both CPRE and FOLV have long accepted the need for a redevelopment scheme to restore and enhance the site as a positive feature of the countryside between Sheffield

and the Peak District National Park. CPRE has worked extensively with groups in the Loxley Valley over many years to help secure a good outcome, and also sought to do so with the Appellant in 2018/19. In this context the appeal scheme has demonstrated a dramatic failure in the community engagement process necessary to secure a good outcome, and therefore a failure to fulfil the requirements of NPPF paras 124 to 126.

- 1.6 Since the City Council must use planning to secure radical reductions in greenhouse gas emissions, as required by NPPF para 148 and quantified by the Tyndall Centre, the net effect of major development must be reduce emissions; otherwise it will fail in its duties in relation to the Climate Change Act 2008. Given its unsustainable location and consequent car dependence, it is therefore reasonable to expect the appeal scheme to provide other measures that more than compensate for the transport-related emissions it will lock in. This has not been demonstrated.
- 1.7 There is no discernible landscape enhancement strategy, and the only relevant parameters in the appeal scheme relate to the development blocks and their height limits. On this basis an outline approval would permit a generic residential development to come forward, with no meaningful guarantees of design quality and no recognition of the different existing characteristics of sub-areas within the site. As a consequence, that part of the site which is currently most tranquil and blended back to nature would experience the greatest level of harm. Key impacts arise from the spine road running through the site, the regrading of land for flood management, and the tree removal associated with both of those. Plainly these are not matters that can be avoided through the use of conditions, as both are fundamental to the principle of developing the site in the way the appeal scheme proposes.
- 1.8 In conclusion, there are significant harms associated with the scheme. It is not only contrary to the Development Plan, but also significantly contrary to NPPF when taken as a whole, and principal aspects of harm cannot be adequately avoided or mitigated through the use of conditions. In my view the appeal should therefore be dismissed.

2. Introduction and Declaration

- 2.1 I am Andrew Wood, Managing Director of Stride Works Ltd, a planning and sustainability consultancy based in Sheffield. I have prepared this proof of evidence in support of the case presented to the Inquiry by the Rule 6 party, CPRE Peak District & South Yorkshire and Friends of Loxley Valley (CPRE/FOLV).
- 2.2 I hold a BA Honours degree in Architecture, and a Master of Town Planning degree, both from the University of Newcastle-upon-Tyne. Though not a member of the Royal Town Planning Institute, I have twenty-two years' experience in environmental, planning and sustainable development policy, and have been a consultant since 2008. I have represented the interests of environmental and community stakeholders in a wide range of planning settings.
- 2.3 From 2012 to 2019 I provided day-to-day planning consultancy services to CPRE Peak District & South Yorkshire on a retainer contract, and since then have continued to provide occasional consultancy to them. In that capacity I was lead author of the *Blueprint for the Future of Sheffield's Green Belt* report (2017) which featured the appeal site as a case study, and I was also involved in the community engagement exercise in 2018/19 that foreshadowed this planning application. I have referred to these in my evidence.
- 2.4 I confirm that the facts stated within my evidence are true to the best of my knowledge, and the views put forward are my own opinions based on my training and experience.
- 2.5 **Note:** Statements of Common Ground between the Council and Appellant concerning design and highways matters were circulated on 16th March, at the same moment as I completed this proof of evidence. I add this note to clarify that my proof is written prior to the SoCGs and there has been no opportunity to consider reviewing my proof in light of their content. I will deal with any implications of the SoCGs in a rebuttal proof if necessary.

3. Sheffield Green Belt Context

- 3.1 The general spatial context for the appeal scheme is that it sits within the Sheffield Green Belt. Before looking at the specific impact of the appeal scheme, it is necessary to consider the function of the Green Belt in the Loxley Valley as a whole and how that relates to Sheffield's spatial pattern of development.
- 3.2 The western half of the Sheffield Green Belt maintains the pattern of settlement and countryside around its five river corridors. As the maps in my Appendix 1 (Figures 1 to 5) show, the Upper Don Valley and the Sheaf Valley have arterial transport routes following the rivers and are heavily populated. In the Upper Don Valley, there is Green Belt separating Oughtibridge from Deepcar and Stocksbridge. A number of substantial brownfield sites in the Green Belt between Oughtibridge and Deepcar have received planning permission for development, and the Citywide Options for Growth 2015 identified the Upper Don as a growth corridor due to its high potential for sustainable travel (my Appendix 1 figure 6).
- 3.3 By striking contrast, the Loxley, Rivelin and Porter Valleys all provide long, green fingers reaching deep into the city from the Peak District; and in each case the Green Belt boundaries define these fingers and protect them from development. All three rivers have a strong industrial heritage, but there is now very little development close to the rivers until they reach the inner built-up areas, and they are highly valued as features of the Outdoor City.
- 3.4 The adopted Development Plan and the emerging Sheffield Plan both maintain this settlement pattern. Therefore a new development of 300 houses in the Loxley Valley that is large, stand-alone and mid-way between the Green Belt edge at Loxley and the village of Low Bradfield would not only be a major encroachment of housing into the countryside; it would also be an entirely anomalous intervention in the wider settlement pattern of western Sheffield.

4. Non-Compliance with Local and National Policy

- 4.1 The Appellant's Statement of Case (CD8.8) para 8.1 accepts that the appeal scheme is contrary to the Development Plan when read as a whole. I have looked at those Development Plan policies which the scheme most clearly contravenes, to understand the high degree of non-compliance. At the same time, it is necessary to examine the Appellant's assertion that NPPF supports approval of the scheme, and I will explain why I do not agree at all with that assertion.
- 4.2 The Development Plan has primacy and is, for the most part, consistent with NPPF. Most of the important policies in the Plan for determining this application are not out-of-date (my evidence does not deal with whether or not there is a 5-year housing land supply, but I do explain why this is not of principal concern for this application).
- 4.3 There is no material difference between the Development Plan and NPPF in terms of Green Belt policies.
- 4.4 NPPF is in fact more exacting in its requirements than the Development Plan in relation to climate change, community engagement and biodiversity net gain, because national policy has progressed on these matters since the Development Plan was adopted.
- 4.5 The Council is clear that the site is not needed for future housing supply and is not included in the HELAA (CD9.07). It is an unsuitable site for the implementation both of the existing Development Plan and the emerging one. Notwithstanding being in the Green Belt, it also falls comfortably into the category of sites considered to be: "*in unsustainable locations (those that are remote from the existing Urban Areas, Principal Towns or Local Service Centres and which have poor access to public transport and which are not within easy walking distance of a reasonable range of local services and facilities)*" (HELAA p23).

- 4.6 In this context, the only part of NPPF which the Appellant could seek to justify the scheme would be para 145(g). I will return in detail later to why I consider the scheme to fail against 145(g). But even if the Inspector saw merit in the Appellant's argument on that one point, this could not reasonably outweigh all other considerations when taking NPPF as a whole.
- 4.7 The Development Plan incorporates saved UDP policies for the Green Belt. The Appellant may suggest that Core Strategy Policy CS71 is out of date, because it states that the Green Belt will not be subject to strategic or local review, and the emerging new Sheffield Plan is accompanied by a Green Belt review. However, whether or not CS71 is out of date is immaterial, for two reasons:
- Firstly, this Inquiry is not concerned with the review of the Green Belt, so the existing Green Belt boundaries and the development management policies associated with them apply in full;
 - Secondly, those development management policies themselves are entirely consistent with NPPF, and therefore carry their full weight.
- 4.8 Therefore, my evidence is based on my assessment that the appeal scheme is not only contrary to the adopted Development Plan taken as a whole, but is also substantially inconsistent with NPPF taken as a whole.

GE1 Development in the Green Belt

- 4.9 This policy is essentially identical to NPPF para 134, apart from the omission of 134(d) concerning historic towns, because this does not apply to anywhere within Sheffield's boundaries.

GE1(a) "lead to the unrestricted growth of the built-up area"

- 4.10 In my view, there is a significant risk that development of this site for housing will weaken the general effectiveness of the Green Belt in the Loxley Valley. This is because the site currently sits within a land parcel that is performing a strong Green Belt

function in checking sprawl, as recently identified in the Green Belt Review (CD9.13). This lists the parcel as STW-1-f, which scores very strongly on purpose 1 – preventing unrestricted sprawl. For ease of reference I have included the relevant map from the Green Belt Review in my Appendix 1, Fig 7.

- 4.11 Clearly, therefore, were the site to be developed for a large residential scheme, this would significantly change the pattern of residential development in the valley, and the parcel would no longer be performing that strong Green Belt function. Consequently, other land parcels between the appeal site and the existing Green Belt boundary may then be deemed to be performing less well than they are now in checking unrestricted sprawl, and would achieve a lower score in any future Green Belt review than was the case previously.

GE1(b) 'contribute towards merging of existing settlements'

- 4.12 Not applicable in this case.

GE1(c) 'Safeguarding the countryside from encroachment'

- 4.13 Whilst much of the development itself sits within the curtilage of previous development, there will be incursions of built development into parts of the site that currently have an undeveloped or 'blended back' character, especially around the millpond, as shown for example in my Appendix 1 Fig 11. However, the site was previously a self-contained industrial function in the countryside. The appeal scheme would enable a large residential development that would break the spatial pattern established by the existing Green Belt boundary: namely that urban Sheffield stops at the Green Belt boundary, and any settlement beyond the boundary is essentially rural, i.e. a village or hamlet. The appeal scheme would be significantly larger than any of the existing rural settlements in the valley but is in no way functionally self-contained, as it will lack a range of basic amenities. It cannot therefore reasonably be construed as a rural settlement, and is in fact an extension of urban Sheffield, albeit one that is

separated from existing settlement edge. Residential development in this location is exactly the type of outcome that the Green Belt designation exists to prevent.

- 4.14 The Green Belt Review (CD9.13) takes an approach to assessing countryside encroachment based on a test of whether development of a site would reduce its functions as countryside, as defined by the beneficial outcomes listed in NPPF para 141. Improving damaged or derelict land is one of those beneficial outcomes, but it is not correct to conclude that converting that land into an alternative use that is essentially urban in character would be an improvement in terms of its function as countryside. It would be replacing one anomalous feature – dereliction, with another anomalous feature – a large housing scheme. Neither of those features is appropriate to the countryside, so there is no benefit to the countryside from this change. And by introducing a large, urbanising housing scheme into the countryside, it inevitably constitutes encroachment.

GE1(d) 'Compromise urban regeneration'

- 4.15 Broadly the Green Belt promotes urban regeneration by containing the urban area and thereby encouraging development to be focused within the urban area; but NPPF para 134(e) allows, at least implicitly, for the possibility that redeveloping a brownfield site in the Green Belt may be beneficial for urban regeneration. Plainly, this is only possible if the resulting development would not have a negative impact on the function of the Green Belt. This is made more explicit by NPPF para 145g, which I deal with in paras 4.31 to 4.38 of this proof. As I have already explained, the appeal scheme would create residential development of an urban character in an otherwise rural area, outside the settlement boundary. That cannot reasonably be interpreted as urban regeneration.

GE2 Protection and Improvement of the Green Belt Landscape
and GE4 Development and the Green Belt Environment

- 4.16 I have analysed these two policies together, because the scale and character of the development resulting from the appeal scheme is inextricably linked to its impact on the landscape.
- 4.17 The industrial heritage of the valley informs its landscape character, but that character is now primarily un-developed and ‘blended back’. The existing disused buildings on the site are therefore anomalous in relation to the character of the valley. Consequently, in my view, the pattern and quantity of building resulting from the appeal scheme would have significantly more impact on the openness of the Green Belt compared to what is there now. My basis for drawing this conclusion is set out below.
- 4.18 The illustrative masterplan (CD1.07) combined with the overlay of existing buildings (CD1.08) shows a new development spread more generally across the site compared to the existing buildings, which are fewer but more monolithic. In my opinion, the proposed pattern of new buildings would have a significantly greater impact on openness than the existing ones, because although most of the new buildings are principally within the existing *hard-standing areas*, they occupy a noticeably larger overall footprint than the existing *buildings*.
- 4.19 It is important to note that the impact on openness goes well beyond the basic issue of how much land the buildings occupy. It is the impact on the open *character* of the landscape that is most at stake here.
- 4.20 Loxley Valley is a high value, rural landscape. Removal of dereliction may be considered a positive outcome for that landscape on its own terms, but major residential development would be a highly incongruous, anomalous feature in that landscape, and would therefore be harmful. To comply with policy GE2 and also with GE8 and BE18, any built development on the site must not only restore the

dereliction but must also demonstrate that it makes an enhancement to the environment in its own right. I deal with BE18 in paras 4.39 to 4.49 of this proof. GE8 – Areas of High Landscape Value – applies to the site and makes clear that “*protection and enhancement of the landscape will be the overriding consideration*”.

- 4.21 Presently character of the area is predominantly rural and quiet, and dark at night-time. The significance of darkness should not be under-estimated: an unlit landscape is dark for half of the year, and the resulting lack of human presence during darkness is an important benefit to tranquillity and to nocturnal wildlife. The valley is also prone to mist, and in such conditions the area is perceptibly even more quiet, isolated and removed from the city.
- 4.22 The principal impact of the existing derelict buildings is to create the impression of certain areas being closed off and inaccessible and, in parts, unsightly; but this is not the whole experience. For example, when walking along the millpond section of the site the impression is mainly of an area that has at least partially returned to nature, but contains remnants of dereliction. For much of the walk through the site the dominant sound is of the river. When the trees are in leaf, many of the buildings recede much further in their prominence.
- 4.23 If the site were developed as per the appeal scheme, then the prevailing character of the area would be neither representative of the wider, undeveloped character of the Area of High Landscape Value, nor significantly reflective of the industrial heritage of the site. It takes 10 to 15 minutes to walk through the site end-to-end, and throughout that walk one would be fully aware of its predominantly residential character. The millpond area, currently the most ‘rural’ section of this walk, would be particularly impacted by the regraded millpond embankment, the primary road running alongside it, and the self-build plots. Furthermore, moving westwards through the site towards the primary point of access, the site would become increasingly busy with vehicle traffic, as evidenced in Dr Robinson’s proof, with associated noise and a need for pedestrians to be alert to vehicular hazards. The traffic would, in itself, have a noticeable impact on the open character of the site, and at least between October and

March a substantial number of vehicle movements would be during hours of darkness, with associated bright, moving lights – not just leaving or arriving at the site but also within the site.

- 4.24 If developed along the lines proposed, the dominant character of the site would be suburban residential. In fairness, I suggest it would result in a suburban residential scheme of decent quality, in a woodland setting, with a riverside walk. It would likely be a pleasant place to live – at least for people with access to a car who did not regard walkable amenities as a locational priority. But an area of suburban residential character is, by definition, an anomalous feature in the Green Belt. On a countryside walk you would not expect to spend 10-15 minutes walking through a housing development, and the general busy-ness created by vehicle movements both during hours of daylight and darkness would be a very significant, negative change in the open character of the Green Belt compared to the current situation.
- 4.25 Development along the main road up to the Green Belt boundary is characteristically ‘of the city’, i.e. urban/suburban. Developments along the Loxley Valley outside the Green Belt boundary are ‘of the countryside’ – Lower Matlock, numerous farmsteads, Low and High Bradfield, and Dungworth. More specifically, they are characteristic of the Dark Peak Yorkshire Fringe landscape described in the Peak District Landscape Strategy & Action Plan 2009 (CD10.03). The relevant character type is ‘slopes and valleys with woodland’ and the Strategy (p10) states that: *“This landscape character type...forms a natural border between the Peak District and the more densely settled landscapes to the north and east associated with Huddersfield, Barnsley and Sheffield.”* A development of the scale proposed in the appeal scheme would self-evidently be anomalous within that ‘natural border’ landscape.
- 4.26 The PDNPA consultation response (CD10.04) notes that it is a statutory consultee in this instance, because of Sheffield City Council’s duty to the National Park under Section 62(2) of the Environment Act, in relation to any decision taken by a public body that may impact on the National Park. It is well-established in law that a statutory consultee’s objection should be given great weight in determining this

appeal; and that clear reasons should be provided for any decision that goes against such an objection.

- 4.27 PDNPA specifically notes that the landscape outside the Sheffield Green Belt boundary here falls within the Dark Peak Yorkshire Fringe landscape. PDNPA points out that the Peak District Landscape Strategy has not been referenced by the Appellant, despite its being a good practice exemplar setting out how landscape characteristics should be protected, managed and planned for. Whilst the Peak District Landscape Strategy & Action Plan is not a statutory document, the fact that great weight should be given to PDNPA's consultation response to the application means that the document must be a significant informant of the development expectations for the appeal site. It is evident that this has not happened, since the Appellant's LVIA does not reference the Strategy.
- 4.28 Since this eastern area of the Dark Peak Yorkshire Fringe landscape sits outside the National Park boundary, it is dependent on Green Belt policy to protect it from inappropriate development, and dependent on Development Plan policies to determine what would be appropriate, with the Peak District Landscape Strategy being a material consideration.
- 4.29 UDP policies GE1 to GE4 are complementary to NPPF para 141, the key principle of which is to "*plan positively to enhance [the Green Belt's] beneficial use*". These four UDP policies give expression to that NPPF objective by requiring planning decisions to maintain and enhance the landscape and ensure that new developments are appropriate. Improving damaged and derelict land is one aspect of this, and would be a beneficial outcome in and of itself. But it is not reasonable to extrapolate from this that the appeal scheme would be beneficial, because NPPF para 141 and UDP policies GE1 to GE4 are about ensuring that the Development Plan enables the Green Belt to improve its quality and use. Permitting a new land-use that is, by definition, inappropriate to the Green Belt cannot do that.

4.30 It is therefore inconceivable that an outline application for 300 houses could be considered appropriate to this location in relation to the policies for Green Belt and for the landscape. Indeed the illustrative masterplan reinforces this, ably demonstrating just how incongruous an urban/suburban development of the proposed type and scale would be. Large scale residential development of the site would be harmful to the landscape, both in principle and in this scheme.

Policy GE3 New Building in the Green Belt, and NPPF 145g

4.31 The appeal scheme would be inappropriate development as identified in NPPF para 143, and therefore harmful to the Green Belt by definition. UDP Policy GE3 is entirely consistent with this, and carries full weight, and NPPF para 145 adds greater specificity by identifying the types of new buildings that are not inappropriate.

4.32 The exceptions in 145g describe a two stage test for harm – a sequential test so to speak. I have termed them stage 1 and 2 for clarity. The para provides for *‘limited infilling or partial or complete redevelopment of previously developed land which would’*:

- Stage 1 – *‘Not have a greater impact on the openness of the Green Belt than the existing development’*;
- Stage 2 – *‘Not cause substantial harm to the openness of the GB where the development would use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority’*.

4.33 Addressing the stage 1 test, in my view the appeal scheme will have a markedly greater impact on the openness of the Green Belt, as I have already set out in 4.10 to 4.30, and therefore remains inappropriate.

4.34 Turning to the stage 2 test, this appears to allow for a degree of harm to the Green Belt in exchange for the benefit of meeting affordable housing need. In my view there are two reasons why the appeal scheme fails this stage 2 test:

- Firstly, the test is clearly designed to provide for exception sites, where the principal outcome of the development is affordable housing – this is of course not the case for the appeal scheme.
- Secondly, the site is not a suitable location for general housing supply. The only legitimate purpose of its coming forward for development is to restore and recycle a brownfield site. For a major residential scheme in which around 90% of the 300 dwellings are not classed as affordable, and in which 100% of the dwellings are not suitably located for general housing supply, it cannot realistically be argued that around 30 affordable dwellings is a justification for the scheme as whole.

4.35 Although the site itself is previously developed and the appeal scheme would recycle it, the site does not constitute urban land. CPRE's report *Blueprint for Sheffield's Green Belt* (2017), of which I was lead author, analysed the distinction between different types of Green Belt brownfield site around Sheffield: *"The type and mix of development on a site must be appropriate to its location, irrespective of its brownfield status. This should include, for example, the site's accessibility to public transport and other infrastructure [and] compatibility with the Local Plan's settlement hierarchy"* (p11).

4.36 The CPRE report contrasted the Oughtibridge Mill site (application 16/01169/OUT) with the appeal site. Oughtibridge Mill is part of a logical growth corridor in the Upper Don Valley, along a major transport artery with strong potential for sustainable travel. Map 5 of the Citywide Options for Growth (CD6.01) (also included as Fig 6 within my Appendix 1) clearly shows the Upper Don Valley as an optional growth area. Indeed, in response to the planning application at Oughtibridge Mill, CPRE argued (CD14.06) that the site should be planned differently in order to achieve higher densities and more development, to capitalise on the sustainability potential there.

4.37 The appeal site by contrast is not in an accessible location for sustainable travel options, and is in a characteristically rural setting. Para 5.7 of Citywide Options for Growth (CD6.01) notes: *"We have ruled out...building a major new settlement in the countryside, on the grounds that there is nowhere in Sheffield where such a large-scale free-*

standing new settlement could be accommodated...On the western side of the district much of the countryside is of high landscape quality and borders the Peak District National Park."

CPRE's *Blueprint* (CD14.03) p12 says of the appeal site: *"We proposed ten exacting tests for judging whether developing a brownfield site in Green Belt is appropriate; and no proposals have yet come forward that would meet those tests. We fear that a more laissez faire approach...could result in a very bad outcome for the Loxley Valley – namely a large, suburban housing estate in open countryside."* That sub-standard outcome is precisely what is now proposed, since there is nothing in the outline application to prevent a major, generic, suburban solution.

- 4.38 As I have set out above, the appeal scheme would replace one anomalous feature in the Green Belt with another anomalous feature; it would be incongruous both as a land-use type and as an intervention in the landscape; and it would harm the purpose of the Green Belt. It would also produce an unsustainable form of development because it is an inappropriate location for housing development, and therefore also an inappropriate location for affordable housing. There is no way, therefore, in which the provisions of NPPF 145(g) could be interpreted as making such an otherwise categorically inappropriate development into an appropriate one. To make that interpretation would clearly go against NPPF 11(d), because the relevant policies in the Development Plan are not out-of-date and, even if they were, the appeal scheme scores poorly against NPPF taken as a whole.

Policy BE18 Development in Areas of Special Character

- 4.39 The UDP map identifies the site as falling within an Area of Special Character (ASC). ASCs are covered by UDP policy BE18, which is not cited in the reasons for refusal but does fall within the Rule 6 case. Any built development in the ASC must demonstrate compliance with BE18.
- 4.40 Policy BE18 contains three key expectations for any development within the ASC that apply to the appeal site.

- 4.41 Firstly, BE18a requires the application to *'provide enough information to enable an assessment to be made of the impact of the development on the Area'*. This gives a clear explanation of why the future of the site needs to be determined by a full application, not an outline one, because the level of detail required for the decision-maker to properly assess all the impacts, especially on such a complex site, cannot be provided by an outline application with all matters reserved except access.
- 4.42 Secondly, BE18b requires *'the retention of buildings, walls, trees, open spaces and other features that contribute to the character of the Area'*. The appeal scheme does provide for the retention of some buildings of character and, taking the site as a whole, it will retain the majority of the trees. However, insofar as the illustrative masterplan (CD1.07) can give a reliable picture of the future of the site, it indicates that the combination of flood defence works and associated tree removal, and installation of a substantial new road running parallel to the edge of the millpond, would not be consistent with BE18(b). I defer to heritage experts who I understand will be appearing as interested third parties at the Inquiry as to the impact on industrial heritage features.
- 4.43 Thirdly, BE18c requires *'new development which respects the appearance and character of the Area'*. In this instance the Loxley Valley Design Statement (CD10.7) - which is approved Supplementary Planning Guidance and is therefore a material consideration – provides key evidence of the characteristics of the Area and the community's aspirations for how it should evolve. The Statement recognises the problem of the appeal site as an anomalous feature in the valley, and identifies it as a priority for attention (p25): *'This should be consistent with the outstanding amenity value of the site, and its pivotal position at the heart of the Green Belt corridor linking Sheffield to the Peak District'*. The Statement also notes (p22) that developers' ideas for the site *'have always involved a big housing estate, significantly larger than the combined settlements of Dungworth and Storrs'* and calls for a *'solution of outstanding environmental sensitivity'*.
- 4.44 Given that the Green Belt status of the site makes a large housing scheme inappropriate from the outset, and given the community's strongly-held, long-

standing aspirations for an outstanding solution, I cannot see how an outline application can possibly provide the necessary confidence in an acceptable outcome. To the extent that the illustrative masterplan gives an indication of the outcome, it shows a large housing development that is broadly suburban in style. Such a large housing development self-evidently introduces a new appearance and character of development in the area that does not currently exist within the Area of Special Character.

- 4.45 The scheme is contrary to the Development Plan in any case, so the application needs to be judged sufficiently beneficial, on the balance of material considerations, to justify a departure from the Plan.
- 4.46 It is important to note here that the reclamation of the site for a suitable combination of new uses is an objective supported in principle by the Rule 6 party and, I believe, by most other interested parties. Therefore re-use of the site is, as a broad principle, an outcome that is accepted as beneficial.
- 4.47 It does not follow, however, that *any* re-use of the site is beneficial by default - it depends on what the new use, or combination of uses, is. The new use must be appropriate to its location in order to be consistent with national and local planning policy for the purposes of achieving sustainable development as defined in NPPF paras 7 to 9.
- 4.48 CPRE has a history of supporting a suitable re-use, as evidenced by CPRE's 'Ten Tests' manifesto for the site (2005) (CD14.02). This manifesto was produced prior to my involvement with CPRE, but it appears consistent with the Loxley Valley Design Statement, and also accords with my own view. Whilst CPRE's detailed position on some points may have evolved since 2005, the Ten Tests are still a valid and robust articulation of the charity's aspirations for the site. The Peak District National Park Authority's response to the appeal scheme (CD10.04) cites CPRE's position, and thereby lends it some weight.

4.49 It is clear, therefore, that both the Rule 6 party and the wider community want to see a positive future for the site. The new use, or combination of uses, should be a positive feature of the host landscape in its own right. Consequently, the key test of whether the re-use of the derelict site is of net benefit to the locality and the landscape is not the removal of dereliction, but whether the re-use itself is an enhancement to the locality and the landscape. As such, it must be demonstrably consistent with policy BE18. There is simply not enough detail in the application to assess this.

NPPF paras 91, 103, 108 and 110: Locational Sustainability

4.50 Sites allocated in the adopted Development Plan are presumed to be in locations that are sustainable or can readily be made sustainable for the type and scale of development envisaged. The appeal site is not allocated in the adopted Plan, and it is also not a proposed site allocation in the emerging Local Plan, as evidenced by the HELAA (CD9.07). Furthermore, at the stakeholder workshop on 13th December 2018 (CD14.4), it was confirmed by Sheffield City Council that the site is not a suitable housing site in principle.

4.51 The presumption in favour of sustainable development is, by default, a presumption *against* unsustainable development; as a departure from the adopted Plan, the scheme must therefore clearly demonstrate that it constitutes sustainable development when assessed against the Development Plan *and* NPPF when both are taken as a whole.

4.52 My analysis is that the appeal scheme fails significantly to fulfil the locational sustainability expectations of NPPF, in the following ways.

4.53 NPPF para 91(c) requires planning decisions to “*enable and support healthy lifestyles...for example through...local shops [and] layouts that encourage walking and cycling*”. As Dr Robinson’s evidence sets out, the appeal scheme will be overwhelmingly accessed by private car, and the topography and character of the roads and footpaths that access the site will be a major deterrent to pedestrian and cycle journeys. Access to local shops is especially poor.

- 4.54 NPPF para 103 states that “*Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.*” The appeal scheme would amount to the most significant development in the area, by scale and functional impact, yet the only proposed measure for limiting car dependence is a bus service that is not 24/7 and does not connect to the nearest local centre in Stannington. This cannot be construed as offering a genuine choice of modes.
- 4.55 NPPF para 108 requires that “*safe and suitable access to the site can be achieved for all users*”. The scheme fails catastrophically against this requirement. Any resident without ready access to car will have very limited access options, and many residents will consider many journeys not to be safe on foot, especially for children, vulnerable people and during hours of darkness. A site for which private car is perceived by its users to be the only safe and/or realistic means of access is highly discriminatory.
- 4.56 NPPF paras 110(a) and (c) further emphasise the need for pedestrian and cycle journeys to be a practicable and attractive option, and in relation to 110(b) it is again apparent that people with disabilities or reduced mobility are likely to experience reduced independence in this location.
- 4.57 Therefore, when assessed against NPPF it is evident that the site’s location is profoundly unsustainable.

5. Assessing Benefit and Harm in this outline application

- 5.1 In assessing the validity and value of claimed enhancements arising from the scheme, it is necessary to distinguish between mitigations and compensations on the one hand - measures that are only needed in response to the adverse impacts of the development; and genuine enhancements on the other hand - measures that are not needed to mitigate negative impacts or simply to comply with policy/legislative requirements, but rather provide something more, something better that gives additional benefit. This principle is supported at the highest level within NPPF: para 8

makes clear the need to secure net gains across each of the three overarching objectives for sustainable development.

- 5.2 On 24th February 2021 a Design Code document produced on behalf of the Appellant was uploaded to the application portal. At the time of writing, the precise status of this document remains unclear. It has, in any case, been produced without the required involvement of the local community and is therefore deficient in process, and it is of little weight.
- 5.3 The Sustainability Statement (CD1.18) p33 and 34 deal with the building design & layout, and energy and carbon emissions aspects of sustainability. I note that these commit only to conforming to building regulations and the 10% renewable energy requirement in local planning policy. Additional considerations, such as to 'maximise use of passive energy' are to be given 'further consideration', but this is not the same as committing to them. Conforming to the standards expected of *any* new development is, in reality, the 'do-minimum' option, and provides no additional benefit.
- 5.4 I note that there is no reference in the Design & Access Statement (CD1.11) to achieving zero-carbon development, and I deal with this matter under Climate Change. In my opinion, an unequivocal commitment to deliver a zero-carbon outcome for the development as a whole would be an additional benefit that would count towards justifying the scale of departure from national and local policy that the appeal scheme represents.
- 5.5 The Outline Woodland Management Plan, November 2020 (Appendix 3 to my Proof) para 4.3 recommends that "*a suitably detailed and prescriptive wildlife management plan is created...It should be clear who will be responsible for this planning and delivery of management measures, and it will require adequate funding.*" The Design & Access Statement (CD1.11) also refers to an Ecological Management Plan being submitted with the application, and the Environmental Statement Chapter 8 (CD2.16) also refers to this, but I can find no such document, and there is certainly no clarity as to how it

would be delivered and funded. The inference is that this work would be required as a condition of an outline permission, but this would still leave its delivery, and how it would be funded, to future reserved matters applications. Considering that the appeal scheme needs to demonstrate measurable biodiversity net gain, to be consistent with NPPF paras 170(d) and 174(b), this is not acceptable. NPPF para 55 requires that planning conditions must be “*enforceable, precise and reasonable*”, and the current lack of detail means that precision and enforceability cannot be provided.

5.6 The appeal scheme therefore gives no meaningful evidence that there would be ecological enhancement resulting consequentially from the granting of outline planning permission. Any potential enhancement is contingent upon future work and future decisions.

5.7 In conclusion, then, the potential benefits of the scheme are marginal in effect and doubtful in implementation, because:

- It does not offer significant additionality on the built environment compared to baseline requirements of policy and conformity with Building Regulations. In particular, it offers no uplift in achieving net-zero carbon.
- It defers potential enhancements of the non-built environment to an ecological management plan which does not yet appear to exist, for which no implementation is in place, and for which no measurable biodiversity gain has been demonstrated.
- There is no discernible landscape strategy beyond the ‘village character areas’ put forward in the Design & Access Statement, so whilst reasonable attention may have been paid to the *residential* character of the scheme, there is no sense of how the wider landscape is to be enhanced beyond some general wording in the Green & Blue Infrastructure section (CD1.11, p64).

5.8 Consequently there is no convincing evidence that the appeal scheme will provide substantive benefits.

6. Housing matters

Contributing to general housing supply

6.1 The site is unsustainably located for major residential development, and I do not therefore accept that meeting general housing need qualifies as a beneficial outcome of the scheme. Indeed, the site does not fit with either the existing or the emerging spatial strategy for Sheffield, and the only strategic justification for allowing housing on the site is to enable the restoration and enhancement of the locality. I have covered this at para 4.5 of this Proof.

Contributing to affordable housing supply

- 6.2 For a site that is not suitable for general housing supply, then the only basis on which it might be suitable for affordable housing supply would be on an exception basis. The appeal scheme does not fulfil that criterion, because it is not *primarily* providing affordable housing.
- 6.3 Since the appeal site is in a rural area, I consider that NPPF para 77 is relevant here: *"...planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this."* If it were deemed that meeting identified local needs for affordable housing were a benefit of allowing development on the appeal site, then the scale of market housing considered acceptable would be only that which enables the affordable supply.
- 6.4 NPPF goes on, at para 78, to make clear that *"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities."* Locating housing where it is distinctly remote from the other rural communities in the valley, but as part of a development significantly larger than any of those communities, is plainly at odds with this expectation.

6.5 Therefore, using the site to supply affordable dwellings would only be acceptable if the decision-maker were to deem that the locational needs of those households were immaterial. In my view, there is no validity in claiming either general or affordable housing supply as benefits of the scheme, when to do so would imply that they are beneficial regardless of their fit with local or national planning policies. Developing housing that does not fit with policies amounts to only meeting housing need in a blunt, numerical sense. That is not what national or local policy intends for Local Plans and for allocated sites, and it is certainly not the case for unallocated sites that constitute departures from the Development Plan.

7. **Community Engagement and Masterplanning**

7.1 A masterplanning process undertaken with effective community engagement is essential for this site. In this section I explain how the community engagement process has failed in this case, and also why conditions attached to an outline approval cannot give sufficient confidence in a scheme that would be acceptable to the community being achieved through reserved matters applications.

7.2 As set out in the Rule 6 Statement of Case, the local community has a longstanding, passionate interest in securing a sustainable future for the appeal site that is appropriate to its rural location and the character of the Loxley Valley. In Autumn 2018 Patrick Properties, the Council, URBED and CPRE met and agreed to work together to run a pre-engagement exercise. An initial meeting of these four parties took place on 9th November 2018; I was working for CPRE at the time, as a retained Consultant Planning Officer, and was heavily involved in this case.

7.3 As a result of this initiative, a community workshop held on 13th December 2018 was attended by 24 people covering a range of interests. I acted as scribe for the meeting and provided a draft report the following day, as CPRE was keen that the wider local community could be informed about the findings of the workshop as quickly as

possible. Frustratingly, the workshop report was not signed off by Patrick Properties until early February, and was made public with a jointly agreed press release on 4th March. No reason was given for this delay. Nevertheless, the workshop report (CD14.04) in its final form agreed by Patrick Properties - concludes *“the crucial next steps are to open up the conversation to the wider community and to those not attending the workshop; and to get community input into the draft proposals as they emerge.”*

7.4 It is worth examining the agreed positions of each party at that early stage, to enable comparison with the appeal scheme. For each party, I have quoted below the starting position that they set out at the workshop, followed by my analysis of what all parties and the local community should have expected as a result.

7.5 The Council’s position, as explained by Rob Murfin, the then Chief Planning Officer, was unequivocal:

“The Hepworth’s site...is difficult to justify for major conventional housing development due to its much more remote rural location. In principle, the site is not a suitable housing site, and so the case in favour of developing it – for housing or for any other use – is to secure an appropriate future for the site. In this context, Sheffield City Council will not be allocating the site for housing, because to do so would put it into the general supply for housing land, and this would open the door to a generic, volume housebuilder solution that would not be appropriate. Instead, the Council is insisting that the site be dealt with by a full planning application that specifically addresses the problems of sustainability, and so that all the unique considerations of the site can be fully considered. The Council’s position is that an application on this site that is worthy of granting permission would also be worthy of winning awards.”

7.6 Paul Martin, for Patrick Properties, stated:

“Our ethos is to leave places better than when we arrived, and we aim to create good, sustainable places...We want to have a good relationship with the community, and this workshop is part of that. Where possible, we want to build consensus on what we can do...Bear in mind that two-thirds of the land within our ownership will never be developed

for buildings, so a key consideration is what we can do to make that non-developable land work for the community and the environment."

7.7 David Rudlin, from URBED, the design consultancy commissioned by Patrick Properties, said:

"URBED did a study of growth potential for Sheffield in 2014, and didn't see this site as fitting that picture; so we can agree that it sits outside the growth strategy for Sheffield, and we can't pretend that it's a well-connected site. But the brief is to come up with a commercially viable scheme; with about £10 million of remediation costs and very limited scope for grants or other investment mechanisms, then housing-led development is the only viable and realistic land use to secure a suitable land use."

7.8 I described CPRE's starting position as follows:

"We're in no doubt that this is a unique site that doesn't fit the general category of 'brownfield sites first' for development purposes. In 2005, at the time of the Bovis masterplan, we put forward a manifesto for the site which called for significant 'greening' of the site, exemplary development and full community participation. We're engaged now because we want to help give Patrick Properties and URBED their best shot at devising a scheme which we, and the community, are happy with."

7.9 Taken together, these four statements clearly set out an understanding of what could be expected from a planning application:

- The site is not suitable in principle for housing;
- The justification for any development is not to supply housing, it is secure a good outcome for the site itself;
- Only a full application will be sufficient to enable the proper weighing of benefits and harms;
- The landowner recognises that the future outcomes for the non-developed parts of the site are crucial to the community;
- The urban designer recognises that it is not a well-connected site and is not part of the growth strategy for Sheffield;

- All parties understood that the landowner was working towards a residential planning application, because that is their preferred outcome;
- CPRE – co-partner in the Rule 6 party at this appeal - recognises that the future of the site will include built development, integrated with significant greening;
- Full community engagement in the outcome is of paramount importance.

7.10 I will address each of these points in turn from the perspective of how they clearly demonstrate that conditions attached to an outline application cannot resolve harms, or secure benefits, sufficiently to enable the appeal scheme to be approved.

The site is not suitable in principle for housing

7.11 There is nothing that planning conditions can do to address this.

The justification for development is not to supply housing but to secure a good outcome for the site

7.12 The Appellant has sought to use both general housing supply and affordable housing supply as justifications for the development, and I have covered in section 6 of this proof why this is inappropriate and incorrect.

7.13 To secure a good outcome for the site, the decision-maker needs to have full confidence that a strong package of measures for the built and non-built elements has been prepared, are good enough to justify a development that is, in principle, inappropriate, and are highly likely to be implemented in full. The supporting evidence for this application falls well short of this standard.

7.14 The Design & Access Statement (CD1.11) p87 states that *“The Village Heart Character Area is the beating heart of the new community, providing a range of community facilities for future residents and the broader community. Central to this area is the former social club building, retained for future conversion into a mixed-use building that could potentially*

accommodate a range of uses such as a new community homeworking hub and facilities and a new farm shop.” When the best the scheme can offer is the possibility of future conversion and a potential range of uses, we are into the realms of wishful thinking. It is impossible to see how this could be construed as providing a ‘beating heart’ for the new community.

- 7.15 The ecological and landscape strategies appear not to have progressed beyond the references to them in the Design & Access Statement, and in reality the future of the non-developed parts of the site is almost entirely unresolved.

The site is not well-connected and is not part of the growth strategy for Sheffield.

- 7.16 The bus service is inadequate to address the general issue of accessibility and travel choice, as dealt with in Dr Robinson’s evidence. This is the Appellant’s only concession to the fact of the site’s poor connectedness, and it is impossible for conditions to resolve this.

All parties knew to expect a residential application

- 7.17 It is plainly evident that everyone except, perhaps, the Appellant, expected Patrick Properties to submit a full planning application for a scheme whose commercial viability was designed around a component of residential uses. An outline application was not expected, and is not considered appropriate.

CPRE/FOLV accepts that built development will feature in the site’s future

- 7.18 In March 2019 I was contacted informally by Paul Martin of Patrick Properties, who met me on 8th of that month and shared with me an initial ‘draft masterplan’. As Mr Martin was seeking my informal feedback, I did not share the document publicly, but I did provide written feedback to Mr Martin on CPRE’s behalf, and also copied this to the Council. I see no reason to not now make this feedback in the public domain and available to the Inquiry, and I have appended it to this Proof of Evidence

(Appendix 2). It will be seen that this CPRE feedback took a measured and constructive approach. Two points of the summary from the feedback I gave then are worth emphasising here:

2- We consider that a stronger steer should be given to the prospective developer(s) on building design and performance, especially on zero-carbon building and imaginative, non-pastiche aesthetics. In our view these are non-negotiable.

3- Whilst we accept that the scheme may need to be residential-led, we are very concerned by the very small number of other uses proposed, as we fear this will result in a large residential enclave instead of a sustainable new settlement. This is compounded by a rather unrealistic assessment of the accessibility of the site to amenities in neighbouring communities.

- 7.19 By contrast the appeal scheme makes no reference to zero-carbon building, does nothing to limit the risk of pastiche aesthetics, and contains only two non-domestic buildings by way of a mixed-use component, neither of which have any real guarantee of implementation. In other words, the Appellant has made no effort to address the points raised then, and consequently there is nothing in the outline application that safeguards against what CPRE - and many people within the community - see as a worst-case scenario outcome: a car-dependent, residential enclave with negligible mixed-use, pastiche designs and the construction of 300 homes that do not properly contribute to addressing Sheffield's climate objectives. In other words, not only is the appeal scheme contrary to the Development Plan, it *also* fails to provide the benefits that the community aspires to for the site.

Community Engagement is Paramount

- 7.20 The appeal scheme runs directly contrary to the expectations of NPPF para 39 and 41: "*Good quality pre-application discussion enables...improved outcomes for the community [and] The more issues that can be resolved at pre-application stage...the greater the benefits.*" This helps to explain why there has been such huge objection to the appeal scheme.

Effective community engagement in the application itself is a clear expectation of NPPF, particularly in regard to paras 124 to 126 on achieving well-designed places. Para 124 states that effective engagement is **essential** to achieving well-design places, and para 126 calls for *“maximum clarity about design expectations at an early stage”*. In this context it is of great concern that a Design Code was uploaded to the Council application portal just three weeks before exchange of proofs for the Inquiry. As I write this proof, I understand this document has not been accepted as a Core Document for the Inquiry. There has been no community engagement at all in its production.

- 7.21 The draft revised NPPF, new para 128, goes further in explaining that *“Design guides and codes can be prepared at an area-wide or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents (although applicants may also elect to prepare codes for sites which they propose to develop). All guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area...”*
- 7.22 Whilst revised NPPF is not yet in force, it gives a clear, unequivocal picture of the Government’s current position here: an explicit requirement for effective community engagement.
- 7.23 This requirement is supported by the National Model Design Code (CD11.06) para 32: *“Design codes need to be based on a vision for how a place will develop in the future, as set out in the local plan. This vision needs to be developed with the local community and is likely to be an important part of the community engagement process.”*
- 7.24 As my evidence shows, there has been a specific breakdown in the community engagement process in the appeal case, whereby the Appellant has proceeded since mid-2019 with a scheme that they were aware did not adequately reflect the community’s aspirations. There has been no community engagement in the production of the Design Code, and consequently little weight can be given to the Design Code in assessing any merits of the scheme.

8. Climate Change

8.1 NPPF para 150(b) requires new development to be planned for *"in ways that can help to reduce greenhouse gas emissions, such as through location, orientation and design."* The fact that this site is not sustainably located for housing, and will be overwhelmingly accessed by private car, means that its location will lock in additional greenhouse gas (GHG) emissions. To fulfil the requirements of NPPF 150(b) against this locational disadvantage, the appeal scheme must therefore show strong, measurable ways to reduce GHG emissions through orientation and design. It does not do so.

8.2 The Core Strategy Policy CS63 sets out the Development Plan's responses to climate change, which include:

- a) *giving priority to development in the City Centre and other areas that are well served by sustainable forms of transport;*
- c) *promoting routes that encourage walking, cycling and the use of public transport;*
- d) *designing development to increase energy efficiency and reduce energy consumption and carbon emissions;*
- h) *giving preference to development of previously developed land where this is sustainably located;*
- i) *adopting sustainable drainage systems;*
- j) *encouraging environments that promote biodiversity, including the city's Green Network.*

8.3 Taking these in turn:

- a) The appeal scheme is not in a sustainable location, and its development therefore runs counter to the Council's spatial priorities in relation to climate response.
- c) As Dr Robinson's evidence explains, the public transport proposition is not adequate, and walking and cycling will only ever be marginal modal choices for most people accessing the site. This is one of the principal reasons why the site is not allocated in the current Development Plan and is excluded from the HELAA (CD9.07).

d) The appeal scheme makes some concessions to this in relation to building energy performance and electric vehicle charging, but there is no indication that the scheme will produce any net reduction in energy consumption or carbon emissions.

e) CPRE and others have identified renewable energy generation as a desirable feature of any re-use of the site including its hydro-electric potential. Yet this is not a feature of the appeal scheme, nor does the illustrative masterplan allow for this option by safeguarding the infrastructure and space required for such development.

h) This makes clear that redevelopment of previously developed land is only a legitimate response to climate change if that land is sustainably located, which the appeal scheme is not.

j) I am aware of the concerns raised by a number of third party biodiversity experts about the adequacy of the scheme's proposals and supporting evidence, and lack of that evidence is a reason for refusal of the scheme; so there is no evidence that the scheme as proposed will promote biodiversity (UDP policy GE11) or the Strategic Green Network (Core Strategy policy CS73). Further, no biodiversity net gain evidence has been put forward, so the appeal scheme is at odds with NPPF paras 170(d) and 174(b).

8.4 Consequently it is clear that housing development at the site is contrary both to the Development Plan and to NPPF on grounds of climate and biodiversity.

8.5 Since the adoption of the Core Strategy the scale and urgency of climate response expectations has grown significantly. Sheffield City Council declared a Climate Emergency in 2019, and the Tyndall Centre report *Setting Climate Commitments for the City of Sheffield* June 2019 (CD14.07) recommends (p2) "*an immediate programme of CO2 mitigation to deliver cuts in emissions averaging 14% per year to deliver a Paris aligned carbon budget.*"

8.6 Failure to achieve a Paris aligned carbon budget would mean the Council failing its obligations under the Climate Change Act 2008. Consequently, in my view, an

opportunity to actively deliver net CO2 reductions would constitute a measurable benefit of development. Conversely, if a development does not deliver net CO2 reductions, this must weigh against it.

8.7 As I explained earlier, compliance with a policy or standard that is expected as a matter of course for any development does not constitute an enhancement or benefit for the purposes of justifying departure from the Development Plan. The appeal scheme's Green Belt location and its car-dependence make it a profound departure from the Plan and it must demonstrate very strong and clearly implementable benefits to justify that departure. With reference to NPPF para 148, and to Sheffield's obligations under the Climate Change Act, there could be justification for departing from the Plan if doing so would measurably contribute to radical reductions in greenhouse gas emissions. By this measure, it is perfectly reasonable to expect trailblazing climate performance, which should include:

- all dwellings on the site to be built to Passivhaus standards;
- on-site renewable energy generation;
- a clear, measurable contribution to implementing the Sheffield Climate & Design SPD (CD11.9), including guideline CC1, which requires green roofs on all larger developments, to cover at least 80% of the total roof area.

8.8 Since the appeal scheme commits to none of these, I consider that the appeal scheme does not adequately contribute to addressing climate change, and that this should weigh against the scheme as a harmful impact.

9. Landscape

9.1 The appeal site is within the VA3 Pastoral Upland River Valley landscape character type in Sheffield's Preliminary Landscape Character Assessment (CD10.06). However, the Peak District Landscape Strategy and Action Plan (CD10.03) is substantially more detailed, and I have already covered the LVIA's lack of reference to the Peak District Landscape Strategy, which is a material consideration.

- 9.2 Whilst it is difficult to ascertain from the information provided by the Appellant in the illustrative masterplan, I am concerned that landscape impacts beyond the site boundary are not adequately represented. For example, to upgrade Storrs Bridge Lane to accept all the site's vehicular traffic (circa 1,500 -2,100 car trips per day, as per Dr Robinson's evidence) and a 15-minute service from the 52a bus will require a significant highway upgrade with associated tree removal and road signage, especially if the road is also to provide a safe footway.
- 9.3 In my view the LVIA also fails to take into account a number of factors:
- The way the site divides into several characteristic sub-areas;
 - The impact of the road network, especially the primary spine road, on the landscape;
 - The potential impact of regrading for flood risk and drainage management.
- 9.4 My analysis is not, in itself, an LVIA, as I am not a landscape professional. It is also constrained by not having full access to the site, and thus is only based on observations from publicly accessible locations.
- 9.5 It is easy to see when visiting the site that the previously-developed land has characteristics that divide into three sub-areas. I have termed these the 'post-industrial riverside', 'tranquil, blended back to nature' and 'workers' hamlet' sub-areas, and they are indicated in my Appendix 1 Fig 8.
- 9.6 Note that I have excluded one of the large existing buildings from the post-industrial riverside sub-area and put it in the 'tranquil, blended back to nature' sub-area. This is because I do not see that it would be feasible to redevelop this building and its hardstanding area for built development without compromising the characteristics of the tranquil sub-area I describe below.

'Post-industrial riverside' character sub-area

- 9.7 The western portion of the site has a post-industrial riverside character that is reminiscent of parts of Kelham Island, Sheffield or Ouseburn Valley, Newcastle-upon-Tyne (see my Appendix 1 Fig 9); albeit those examples sit within much more urban contextual settings, and the retained buildings there were less dilapidated than those on the appeal site. If redevelopment in this sub-area were to be considered to respect its existing character, and so as to comply with UDP policy BE18, then I would expect it to be genuinely mixed-use and to explicitly celebrate its industrial heritage. The Loxley Valley Design Statement (CD10.07) gives indications that such a development could be considered beneficial if it were sufficiently well-designed. Page 23 of that document states: *"We believe the site demands a solution of outstanding environmental sensitivity. It needs imaginative, regenerative use...while protecting the characteristics of this special place."* Also note that the Kelham Island and Ouseburn photographs both show a degree of re-greening of these post-industrial riverside environments, which again would be necessary on the appeal site for ecological and landscape enhancement. There is no need for redevelopment to be 'suburbanised' in order to make space for a sensitive ecological and landscape solution.
- 9.8 I note that block A-1 on the illustrative masterplan has the buildings with the largest massing and the tallest on the site, which is identified for elderly people's accommodation, with a substantial car park. The drainage interception ditch on the northern and eastern edge of this block would limit the scope for screening. The block would therefore be visually prominent both within the site and when viewed from the north on Loxley Road. Given the bulky massing of some of the existing buildings on site, and also given the generally low-rise, suburban character of the proposed scheme, it seems perverse to 'stack up' the elderly people's accommodation in one block that is likely to have a heavier, and potentially more institutional, character than any other part of the scheme. In the context of the rural setting, if elderly people's accommodation were to be provided then one would expect an arrangement more akin to almshouses, probably with a courtyard garden.

It is worrying that such a specific provision as sheltered accommodation would be conceived in such an out-of-character format.

- 9.9 I also note that the adaptation of the main access road for increased traffic, and housing block A-1, are likely to impact on the woodland groups W1 and W3 now protected by the Tree Preservation Order 439 (CD10.10).

'Tranquil, blended back to nature' character sub-area

- 9.10 The central portion of the site is characterised by its relationship to the millpond, the way the river and the millpond feeder leat interweave, and the way the views open out to the wider landscape. Despite the adjacent dereliction, this area is very popular with recreational walkers and runners of all ages; it is tranquil and has a strong sense of having returned to nature.
- 9.11 The development proposals involve raising the bank of the millpond by a minimum of 700mm, which is likely to involve a substantial amount of clearing of existing trees and shrubs. It is unclear whether trees on the millpond edge could be retained, but the trees currently on the south side of the millpond footpath would all need to be removed for these works and the new embankment would take several years to re-vegetate. Also, the leat embankment will have to be raised too, which will also involve removal of trees and vegetation, meaning that housing blocks C-2 and C-3 are likely to be only minimally screened from the longer view from Loxley Road. The building heights plan (CD1.06) indicates these blocks may be up to 3 storeys high: 9m at the eaves equates to 12m at the ridge, and raised floor levels for flood protection would increase this further. Therefore the visual impact of blocks C-2 and C-3 in the wider landscape may be significant.
- 9.12 The primary spine road will run alongside the new raised millpond bank for around 200 to 300 metres. In my Appendix 1 Fig 10, I have illustrated the likely view looking west along the millpond footpath with the appeal scheme in place. To give the scheme the benefit of the doubt I have shown the millpond edge trees as retained,

although I am sceptical that their retention is compatible with the flood management works proposed.

9.13 The self-build dwellings facing the millpond (block F-1) are shown on the illustrative masterplan as being screened by trees on their northern boundaries. However, these will at least partially occupy the re-naturalised bank of the millpond, and their gardens will overlook the millpond, which is likely to limit scope for re-screening once the regrading and construction has been completed. The high floor level for these houses, necessitated for flood protection, will lead them to be very visually dominant on a part of the site that currently has an un-developed character. My Appendix 1 Fig 12 shows the current extent of the woodland regeneration at the F-1 site.

9.14 The clearance of trees along the Millpond and leat edge for flood management, as described above, would also inevitably impact on the woodland group W6 now protected by Tree Preservation Order 439 (CD10.10).

9.15 In my view the appeal scheme would have an overwhelmingly negative outcome for the landscape in this sub-area. It will be highly visible from the north as having residential character. Within the sub-area it will be transformed from its current tranquillity to being dominated by the roadway, the bus route, the semi-formal Village Green and the self-build dwellings. Essentially, the appeal scheme will have the greatest negative impact on the sub-area that is currently the most tranquil and re-naturalised. This is a perverse outcome.

'Woodland / workers' hamlet' character sub-area

9.16 The eastern/south-eastern portion of the site has a distinct woodland character, and is also partially characterised by the remaining active uses of the site – the dwellings and the storage yard. With the removal of the storage yard, the retention of the existing dwellings and the restoration of the social club building, there is potential for some redevelopment of this portion of the site, and indeed there is scope for small scale business uses. In my view, there would be potential for a scheme to be

promoted as genuinely rural development, consistent with its countryside location and supported by NPPF policies 83 and 84.

- 9.17 Character-wise, the most notable local precedent for this is at Lower Matlock, where the former mill building, farm buildings and workers' houses comprise a series of compact built forms arranged around, and given coherence by, the river bridge. A visual comparison is provided in my Appendix 1 Fig 11. On the appeal site, whilst the social club and existing workers' dwellings are spaced further apart than the built form at Lower Matlock, the characteristics are not dissimilar. The Loxley Valley Design Statement would provide a suitable basis to determine an appropriate design.
- 9.18 Notwithstanding the wider policy considerations that weigh against the appeal scheme, in my own view there is scope for two separate developments at each end of the site, with their own distinct character and sensitively informed by their setting, with a regenerated natural/semi-natural landscape in between them that is kept free of new development. The appeal scheme, by contrast, will be a profoundly incongruous intervention in the landscape and will have a negative impact on it in specific ways. This is principally because:
- It connects the two ends of site together with a spine road that will itself have a severe impact on the tranquillity and 'blended back' character of the millpond/leat area;
 - It distributes a high number of dwellings across the site at a generally suburban density, thereby ironing out the distinctiveness of the different parts of the site and imposing a largely homogenous solution which the illustrative masterplan indicates only marginal provision to break up;
 - The most visually dominant elements of the scheme appear to be on parts of the site that are currently the least developed in character.
- 9.19 In drawing my conclusion on landscape impact I return to CPRE's objection to the application (CD14.05), para 3.2: *"The Design and Access Statement and Design Code are claimed to fix some aspects of urban form in each 'character area' but, other than specifying*

maximum eaves heights, do not do so. Masterplanning rhetoric around ensuring appropriate character and place-making is completely undermined by these matters being reserved for future submission." At this Inquiry, this remains the case. Assessing the impact of the built form of the appeal scheme in terms of appearance and character is limited to building heights and generalised layouts. The further detail that purports to be provided is of limited weight in an outline application.

9.20 Meanwhile the impacts of the roadway into and through the site, and the works and land regrading associated with flood management, are likely to feature substantial removal of trees that are currently giving both character and screening. This will harm the character of the landscape within the site and, on the basis of the building heights information provided, also impose the suburban residential character of the scheme on the wider landscape when viewed from the north.

10. Conclusions

10.1 I have set out the ways in which the appeal scheme contravenes the Development Plan, and in which its adverse impacts significantly outweigh any benefits when measured against NPPF taken as a whole.

10.2 Key harmful impacts arise from the principle of a major residential development of this scale, accessed in the manner proposed. These matters of principle cannot be addressed by conditions and cannot be deferred to reserved matters applications.

10.3 In my opinion, the appeal should therefore be dismissed.