
Appeal Decision

Inquiry held on 24 and 25 April and 22 May 2006

Site visit made on 22 May 2006

by Dannie Onn RIBA IHBC

**an Inspector appointed by the Secretary of State for
Communities and Local Government**

Appeal Ref: APP/J4423/A/05/1183226

Pinegrove Country Club, Myers Grove Lane, Stannington, Sheffield, S6 5JH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Capricorn Homes Ltd against the decision of Sheffield City Council.
- Application Ref 04/041 13/FUL, dated 4 October 2004, was refused by notice dated 22 June 2005,
- The development proposed is erection of 58 dwellings, children's play area and public open space.

Summary of Decision: The appeal is dismissed.

Procedural matters

1. The application described the proposals as redevelopment of the site for 46 dwellings; creation of a children's play area and public open space; remediation of the site; and stabilisation of the southern bank of the River Loxley. The application was amended to 58 dwellings and was determined by the Council on the basis of the description I have set out above. I have dealt with the appeal on that basis.

Main Issues

2. The appeal site lies within the Green Belt. There is no dispute that the proposed development would be inappropriate in the Green Belt. The main issues are therefore the effect on the Green Belt and the character and appearance of the Loxley Valley; whether the site is a suitable location for new housing; and whether the considerations in support of the proposed development amount to very special circumstances sufficient to outweigh any harm.

Planning Policy

3. The development plan includes the Regional Spategy Strategy for Yorkshire and the Humber of 2004 (RSS) and the Sheffield Unitary Development Plan (UDP) of 1998.
4. Policy P2 of the RSS seeks to protect Green Belts, whilst Policies GE1 GE3 and GE5 of the UDP seek to restrict inappropriate residential development in the Green Belt, except in very special circumstances. Policy GE2 seeks to improve poor landscapes and Policy GE4 requires any development which is permitted in the Green Belt to be in keeping, and where possible conserve and enhance the landscape and natural environment. These Policies accord with the advice of Planning Policy Guidance note 2: *Green Belts* (PPG2).
5. Policy GE10 seeks to protect, enhance and extend a network of Green Corridors and Green Links.

6. Policy PI of the RSS includes the need to minimise the need to travel and locate development within urban areas. This is reflected in Policy H2 of the UDP and accords with the advice of Planning Policy Guidance note 3: *Housing* (PPG3).
7. The Loxley Valley Design Statement has been produced by the local community and the Council has adopted its Planning Guidelines as supplementary planning guidance (SPG). This document has been prepared in consultation with the public. It is a material consideration of some weight. Its guidelines include that development should not damage important views in and into the Loxley Valley and that new buildings should be constructed in local materials.

Reasons

Green Belt

8. The appeal site is a former tip and there is a derelict country club building on the high, made ground. The site is on the edge of the Loxley Valley and there are steep slopes down to the river on one side and pasture on another. The slopes are naturally wooded, whilst the plateau includes a number of ornamental trees. The existing building is of single storey massing with a dominant double-height element to the valley side.
9. The proposed development would be inappropriate in the Green Belt in terms of paragraph 3.2 of PPG2 and therefore, by definition, harmful. The buildings would cover about the same ground area as the existing country club buildings, but would be spread over a wider area. Although from some viewpoints there would be gaps through which vegetation and the valley beyond might be noticed, in general terms the buildings would present a continuous visual barrier, particularly as they would continue alongside Myers Grove Lane towards existing built form on the edge of Stannington. Furthermore, the new dwellings would be consistently taller than the existing building. Although the ground level would be reduced such that the overall height of the new buildings would be similar to the highest part of the existing, the apparent mass of buildings would be far greater. I consider that the openness of the Green Belt would be reduced. The residential development would dominate views along Myers Grove Lane, giving the impression that the city was encroaching upon the countryside and increasing urban sprawl, contrary to the purposes of the Green Belt.

Character and Appearance

10. The Loxley Valley is a significant green wedge leading down from the moors of the Peak District National Park to the urban area of Hillsborough. Although 20th century development has spread across the hillsides, the valley remains largely undeveloped. It is described in the SPG as a green finger of countryside reaching right into the densely populated urban fringe of the city. The wooded bank at the appeal site contributes to this as do the views across the site from Myers Grove Lane.
11. The existing building on the appeal site is clearly visible from a number of places across the valley, but it is not generally prominent. The existing building detracts from the character and appearance of the area, largely because of its condition, but also because it has functional, brick forms at odds with the traditional stone character of the valley's buildings. Its removal would be of benefit to the character and appearance of the area.

12. The proposed development would be a prominent intrusion. Notwithstanding the removal of the existing building, the apparent increase in size and spread of built development would urbanise the site when viewed from Myers Grove Lane and in local views across the Loxley Valley. Although the buildings would be of traditional shape and with variety in height, the mass of the development as a whole would be more prominent than the existing building and more intrusive into the countryside setting.
13. In terms of materials, the proposed development would reflect the nearby urban character rather than the sparse development of the Loxley Valley. Even if the materials were controlled by condition and met the requirements of the Design Statement. I do not consider that the form of the development would harmonise in design and scale with the character of the valley.
14. The existing vegetation on the banks is dense and appears natural. Trees of any size have, however, become unstable on the steeper sections. This is said to be a result of the poor quality of the ground. The ornamental planting is at odds with the character of the Valley. The proposed development offers the opportunity to provide stable ground and new planting to improve the landscaping and at the same time remove pernicious Knot Weed and Himalayan Balsam. There would be some benefit to the character and appearance of the site and the south bank of the river and views of the proposed development from Myers Grove Lane would be softened. However, I do not consider that this would reduce the urbanising effect to any significant degree because much of it would be managed and relate to the urban form rather than the natural valley.
15. Overall on this issue I consider that the benefits of the proposed development would not outweigh the loss of the existing landscape value of the site to the Green Belt and the Green Corridor. The character and appearance of the Loxley Valley would thus be harmed, contrary to UDP Policies GE2 and GE10 and the adopted SPG.

Housing Location

16. The appeal site is on the edge of built development. It is not conveniently located to encourage access to shops, facilities and jobs by means other than the motor car, being largely outside of recommended acceptable distances for walking. Even so, alternatives to the motor car do exist and may well be attractive to those wishing to access the city centre. I consider that the site would not perform so badly in relation to the criteria at paragraph 31 of PPG3 to warrant refusal on location alone.
17. The Council demonstrates that there is no strategic need for housing in such a location. In such circumstances and with no positive support in terms of location, I consider that locating housing at the appeal site offers no significant benefit and carries little weight.

Very Special Circumstances

18. The existing building is in a derelict state and fire damaged. For the purpose of comparison, I have taken into account the efforts made by the Council to ensure that the site is not left in this condition and the acknowledgement by the appellant that the building may either be repaired or removed. I therefore attach little weight to the present condition of the building. Nevertheless, the present use is said to be unviable and the existing building is unlikely to be well maintained in the long term. Its removal would benefit the visual amenity of the Green Belt considerably. In this case, however, I have found that the

proposed development would appear of greater mass and the visual amenity of the Green Belt and the character and appearance of Loxley Valley would be harmed.

19. The appeal site is a former tip and is contaminated. The appellant demonstrates that the proposed development would require the site to be improved by the removal of toxins from the upper levels and by capping the lower level of fill with an impervious barrier. However, I have no clear evidence that remediation would be required without the development proposed. I note that a reduced residential development may still require the same expense, but it is difficult to conclude that full remediation would be required with other forms of redevelopment.
20. Although tipping ceased many years ago and the site has become well vegetated, there is evidence of instability of the bank down to the River Loxley. The existing building shows signs of subsidence at the eastern corner and it is possible that the bank has slipped at its base below this point. I do not doubt that the proposed reconstruction of the banks would be required for the proposed new development. Nevertheless, the bank supports established vegetation and there is little evidence of an immediate likelihood of further slip. It seems to me that the stabilisation is necessary mainly because of the proposed development and therefore cannot be a justification for it.
21. The proposals include an improvement to the landscape by reduction in the height of the site and a more natural planting scheme. Public access to an open area at the north end and a network of paths down the banks to the River Loxley are also offered. Improved landscape is unlikely to enhance nature conservation interest because of the increased public access proposed and the dramatic interruption of the naturalisation of the banks before new planting became established.
22. The proposed improvement works to stability and the remediation of contamination are designed to meet the needs of the proposed development and at the same time the high cost of those works requires a substantial number of dwellings to make the proposal viable. I have little evidence that the site is currently a hazard, or in danger of slipping into the River Loxley. Although the remediation and stabilisation works proposed would be of benefit to the site and improve the damaged and derelict land within the Green Belt, it would be at the expense of openness and visual amenity. I consider that the benefits of the proposed development do not outweigh the harm to the Green Belt and its visual amenity or the character and appearance of the area. Very special circumstances sufficient to outweigh that harm do not therefore exist.

Other Matters

23. The appellant has prepared a unilateral undertaking under S106 of the Town and Country Planning Act 1990. This makes provision for management of and access to the public open space and for a financial contribution towards affordable housing. I note that the Council disputes the amount offered. Local Policy on this subject is evolving, but allows for a degree of negotiation where development would not otherwise be viable. Although the appellants approach in this case might be acceptable, the planning obligation does not affect my overall conclusions.
24. My attention has been drawn to the development of a nursing home and sheltered housing at Wisewood Forge, on the other side of the River Loxley, also in the Green Belt. In that case the existing derelict buildings were removed and replaced by new. However, the

circumstances are somewhat different, in that the replacement buildings cover significantly less ground than those demolished; industrial archaeology of the site has been conserved as part of the special character of the Valley; and the previous buildings were inappropriate in the Green Belt. I do not consider that the permission at Wisewood Forge indicates that this appeal should be allowed also.

Conclusions

25. I have found that the proposed development would be inappropriate in the Green Belt, that it would harm openness and that character and appearance of the Loxley Valley and the visual amenity of the Green Belt would be harmed. Although the site is previously developed land, the peripheral location of the site offers little benefit as a housing site. Remediation and stabilisation of the site would be desirable, but I do not consider that they amount to very special circumstances in this case. For these reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

26. I dismiss the appeal.


INSPECTOR