

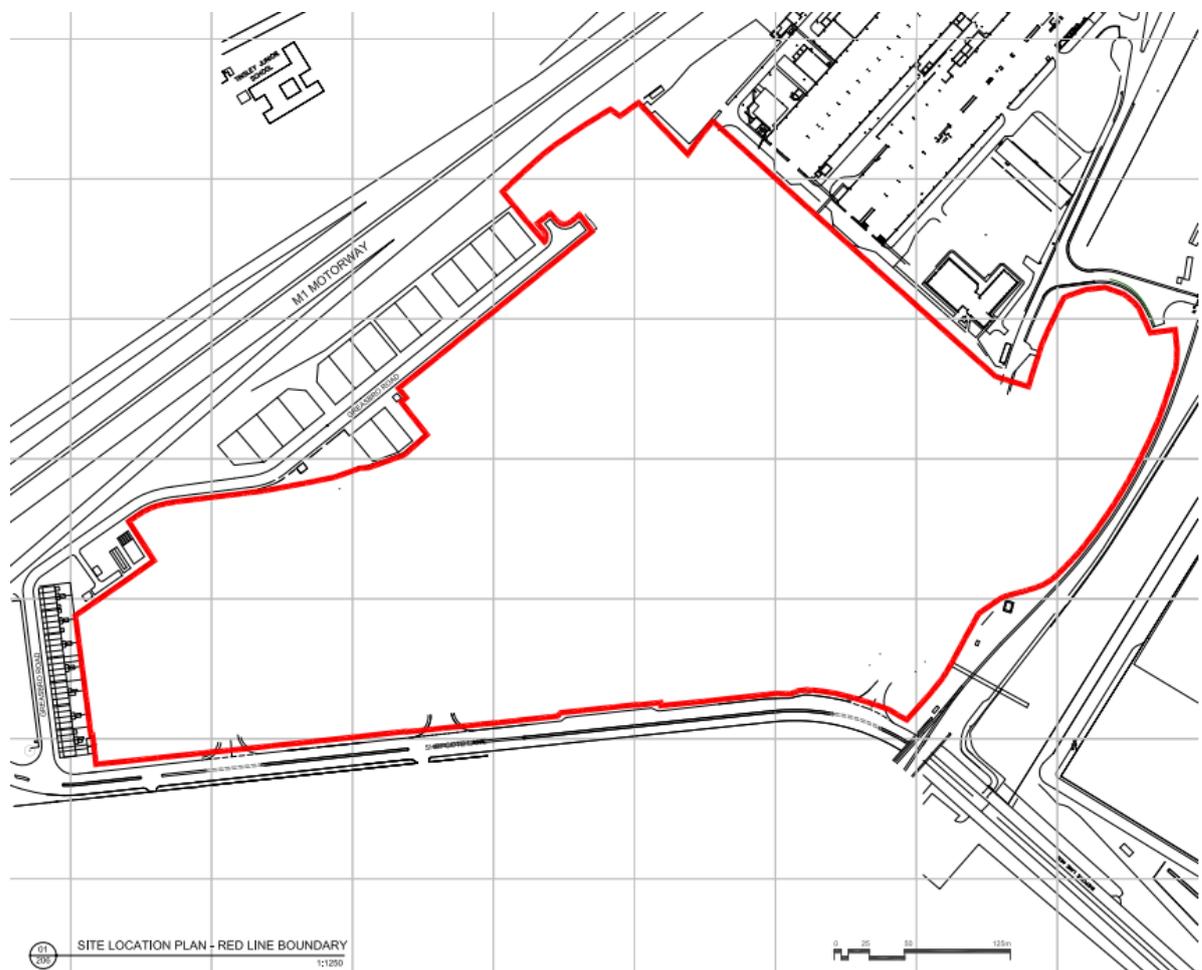
Report of the Director of Planning and Regeneration Service

<u>ITEM NO.</u>	<u>SUBJECT</u>
1 Page No. 143	Ref: RB2017/1439 Courtesy Consultation in respect of proposed Phase 1 (full application) Erection of 2 units – 16,615 sq. m of B1c/B2/B8 floorspace and provision of associated access and landscaping; Phase 2 (Outline application) Details of access for upto 61,230 sq. m of B1c/B2/B8 floorspace at former Outokumpu, Sheepcote Lane, Sheffield, S9 2RA for Peel Logistics Property
2 Page No. 146	Ref: RB2018/0623 Courtesy Consultation in respect of Outline Planning Application with some matters reserved (Approval being sought for Access) for an employment-led development of B1/B2/B8 Uses at Land at Shireoaks Common, Shireoaks, Nottinghamshire for Bassetlaw District Council (18/00413/OUT)
3 Page No. 149	Harthill Exploratory Well Public Inquiry – appeal decision

Item 1

Ref: RB2017/1439

Courtesy Consultation in respect of proposed Phase 1 (full application) Erection of 2 units – 16,615 sq. m of B1c/B2/B8 floorspace and provision of associated access and landscaping; Phase 2 (Outline application) Details of access for upto 61,230 sq. m of B1c/B2/B8 floorspace at former Outokumpu, Sheepcote Lane, Sheffield, S9 2RA for Peel Logistics Property



Recommendation:

That Sheffield Council be informed that the Council raise no objections to the proposal.

Background

This is a 'courtesy' consultation as required due to the close proximity of Rotherham Borough to the application site. RMBC are invited to provide Sheffield Council with comments on the application and the impact of the proposal on Rotherham in terms of such planning related issues as the environment, flooding, traffic etc.

Site Description & Location

The site comprises approximately 20.5ha of brownfield land, located immediately south-west of Junction 34 of the M1 northbound, 8 miles from Sheffield City Centre. The site fronts Sheepcote Lane with railings and old factory walls enclosing the site along this boundary. Greasbrough Road bounds the site to the north and north east, and to the south and east are other industrial units / warehouse.

The site was formerly used by British Steel and most recently Outokumpu, whose facility closed in 2005. The site was cleared in 2011 and has remained vacant since..

The boundary of RMBC's administrative area is approximately 1km to the east of the site, and the nearest residential dwellings on Bawtry Road, Brinsworth are a similar distance to the east.

Proposal

The application submitted to Sheffield has been described as a hybrid application seeking both full and part outline (with access) permission for up to 77, 845sq. m of B1 (c), B2 and B8 uses.

The full application seeks permission for units 1 and 2. Unit 1 comprises of 4,174sq.m and will be split between B2/B8 floorspace (3,756sq.m) and B1c) ancillary office floorspace (417sq.m). This unit will be 12m to eaves and 14.3m to ridge. Unit 2 comprises of 12,441sq. m and will be split the between B2/B8 (11,366sq. m) and B1c) ancillary office (1,075sq. m) The building will be 13.8m to eaves and 15.5m to ridge.

Units 1 and 2 the northern part of the site, with the buildings running east – west.

The outline element of the proposal comprises the larger part of the whole site (14ha). The indicative masterplan shows three buildings of varying sizes for B1c), B2 and B8 use and will be served by a new access on Sheepcote Lane.

Both the full and outline elements would also incorporate hard and soft landscaping.

Consultations

RMBC - Transportation and Highways Design: Have no objections.

RMBC – Air Quality: No objections.

RMBC – Environmental Health: Have no issues.

Appraisal

The main issues with the proposal affecting Rotherham would include the impact on traffic levels within the Borough and the impact on the general environment of the Borough's residents in respect of noise, air quality and transportation.

It is noted that the site is within an industrial area in terms of Sheffield's development plan and there are no issues in terms of the principle of the development.

The nearest residential properties in Rotherham are approximately 1km to the east of the site on Bawtry Road next to and on the opposite side of the road to the former Aurora Sports Club. Between the site and the nearest residential properties in Rotherham is the M1 motorway, industrial and commercial sites and buildings and sports pitches. It is considered that due to the location and its proposed use, noise from the development would not be an issue to residents in Rotherham. In addition, the built form of the proposal is also unlikely to give rise to any issues, when viewed from land and property within Rotherham as any views will be seen against the backdrop of other industrial and commercial sites and buildings in the Tinsley area of Sheffield.

In terms of impact on the Borough's highway network it is considered that the proposal would have no material adverse impact on the highway network in the Borough.

In terms of the impact on Air Quality the additional information provided by the applicant to Sheffield City Council indicates that the proposal will not have a significant impact in terms of its impact on air quality (in particular nitrogen dioxide annual mean) in Rotherham Metropolitan Borough Council's Air Quality Management Area. Accordingly, the additional air quality information is acceptable and the proposal would not adversely impact on the residents of Rotherham in respect of air quality.

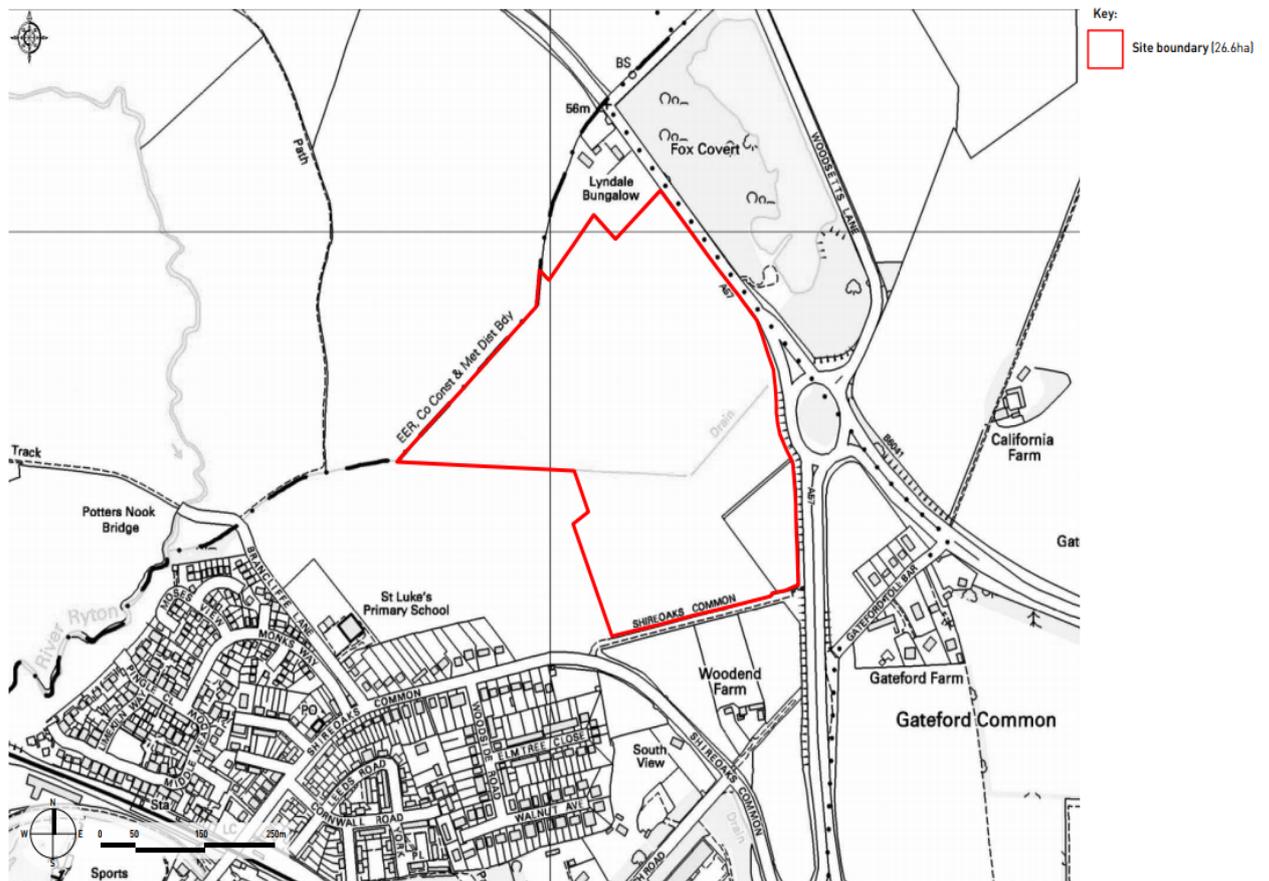
Conclusion

Having regard to the above it is concluded that there will be no adverse impact from the development on Rotherham and as such it is considered that RMBC should raise notify Sheffield City Council that it raises no objections to the application.

Item 2

Ref: RB2018/0623

Courtesy Consultation in respect of Outline Planning Application with some matters reserved (Approval being sought for Access) for an employment-led development of B1/B2/B8 Uses at Land at Shireoaks Common, Shireoaks, Nottinghamshire for Bassetlaw District Council (18/00413/OUT)



Recommendation:

That Bassetlaw District Council be informed that the Council raise no objections to the proposal subject to the provision of a 10-15m landscaped planting buffer and no build zone on the Rotherham Green Belt boundary to the site.

Background

This is a 'courtesy' consultation as required due to the close proximity of Rotherham Borough to the application site. Rotherham Council are invited to provide Bassetlaw District Council with comments on the application and the

impact of the proposal on Rotherham in terms of such planning related issues as the environment, flooding, traffic etc.

Site Description & Location

The application site is approximately 11 hectares in area and forms part of a wider site extending to 17.9 hectares that has outline planning permission in place for a mixed residential and commercial development.

The site lies to the west of the A57/Gateford Road roundabout in Bassetlaw's District and part of the northern boundary of the site abuts the boundary with the Rotherham Borough.

The site itself is in agricultural use, comprised of intensively managed arable fields.

The site abuts an open field in Rotherham's Borough with the nearest residential properties in the Borough being located at a considerable distance of approximately 700 metres away from the site.

Proposal

The application submitted to Bassetlaw District Council is seeking planning permission for the following mix of uses:

- Public House/restaurant (approx. 1.3 acres) (Use Class A3/A4);
- Petrol Filling Station and ancillary convenience store (sui-generis) and Drive Thru restaurant/café (Use Class A3) (approx. 2.3 acres);
- Offices (approx. 1.8 acres) (Use Class B1a);
- Light Industrial units (approx. 2 acres) (Use Class B1(c));
- General Industrial units (approx. 3.66 acres) (Use Class B2);
- Storage and Distribution Units (approx. 13.4 acres) (Use Class B8)

Access to the site would be from a new access on to the Gateford Road roundabout.

Consultations

RMBC - Transportation and Highways Design: Have no objections to the proposed scheme from a highway perspective.

RMBC - Landscape Design: No objections subject to a recommendation that a 10-15 metre landscape buffer is provided adjacent to the Rotherham Green Belt boundary.

Appraisal

The main issues with the proposal affecting Rotherham would include the impact on traffic levels within the Borough and the landscape impact on the Borough.

In terms of impact on the Borough's highway network the Council's Transportation and Highways Design team notes that they previously gave advice on the likely impact of residential development in the Bassetlaw area on traffic conditions along the A57, at the Anston Crossroads in particular. Whilst this proposal for employment uses will inevitably increase traffic through the junction, the number of trips is likely to be less than 100 in the peak hours which could not be argued to be sufficient to produce a noticeable effect on junction operation.

A number of the trips would already be on the network, for example when visiting the petrol filling station and pub / restaurant, or not likely to generate peak hour traffic. Furthermore, it could be argued that a large employment site may abstract existing trips that are heading towards Sheffield on the A57.

In addition, the peak flows would be in the opposite direction to existing peak flows at the crossroads. The B8 trips generated by the development are likely to distribute more widely as the site has access to main roads in several directions and it is unlikely that all HGV traffic would head to the M1 via the A57. In this respect, the development is considered unlikely to result in a material adverse impact on roads in the Rotherham area and no objections are raised to the proposals from a highway perspective.

From a landscape impact the Council's Landscape Design team notes that the Rotherham borough boundary and Green Belt lie directly adjacent to the north west of the application site boundary. This part of the Borough falls within Ryton Farmlands Landscape Character Area which was assessed in the 2010 RMBC Landscape Character Assessment as of moderate landscape sensitivity. It is noted that the development line is set back from the boundary by a landscape buffer, generally in order to ensure that any impact from development on the Rotherham Green Belt beyond is minimised. It is recommended that a 10-15m landscaped buffer and no build zone be respected along the Green Belt boundary and noted that this would appear that this is already accommodated as part of the development proposals. However, it is considered reasonable to request this as a condition on any planning permission.

Conclusion

Having regard to the above it is concluded that the impact of the development on Rotherham will be minimal, as such it is considered that RMBC should raise no objections to the proposal subject to a recommendation that a 10-15m landscape buffer and no build zone be respected along the Green Belt boundary of the Rotherham Borough.

Item 3

Harthill Exploratory Well Public Inquiry – appeal decision

Proposed development:

Construction of a well site and the creation of a new access track, mobilisation of drilling, ancillary equipment and contractor welfare facilities to drill and pressure transient test a vertical hydrocarbon exploratory core well and mobilisation of a workover rig, listening well operations, and retention of the site and wellhead assembly gear for a temporary period of 5 years at Land Adjacent to Common Road, Harthill, Rotherham.



Recommendation

That Members note the decision to ALLOW the appeal, in accordance with the terms of the application Ref RB2017/0805, dated 30 May 2017, and subject to the conditions listed at the end of the decision.

A copy of the decision is attached.

Background

The applicant appealed against non-determination in December 2017 and a report to Planning Board in January 2018 set out the Council's objections to the proposals, on ecology and highway safety grounds. The Public Inquiry took place in April/May 2018. Prior to the commencement of the Inquiry the applicant submitted further information to address the highways objection to the scheme, including the provision of temporary traffic stop and go boards, which were accepted at officer level though rejected by Planning Board.

During the course of the Inquiry the Council withdrew its opposition to the proposals on ecological grounds (and at the same time agreed with the appellant that no applications for costs would be submitted by either party).

Since the closure of the Inquiry, on 17 May 2018 the Secretary of State for Business, Energy and Industrial Strategy has made a Written Statement to Parliament on Energy Policy, which strongly supports the exploration and development of onshore shale gas resources, and the Inspector has taken this in to account as a material consideration.

Inspector's Decision

The Inspector considered that the main issues in this case were:

- i) whether the proposal would represent inappropriate development in the Green Belt having regard to the NPPF; and
- ii) the effect of the proposal on the existing uses of the highways in the surrounding area.

Green Belt:

On the first point he concluded: "The proposed development would be associated with mineral extraction, which in itself is not inappropriate development in the Green Belt. The development would include plant, site buildings and minor topsoil storage and environmental bunding which would be in place for up to five years. The site would be returned to its existing condition following this period. In view of the extent and temporary nature of the development, which would not be unusually longer than other construction or mineral extraction operations, the development would preserve the openness and the purposes of including land in the Green Belt. It would therefore not represent inappropriate development and would not be harmful to the Green Belt under paragraph 90 of the NPPF."

Highways:

The Inspector notes that: "On Packman Lane, the indicated 221 vehicle movements/day would be on average one every five minutes in one direction. In terms of conflict with site access traffic an HGV or convoy would take approximately three minutes to travel along the lane, and this would take place at some 100 to 400 minute intervals in one direction. An abnormal load would take some 12 minutes to travel along the lane. I therefore consider that paths would cross frequently, but only up to 5% of existing vehicles would be likely to meet single HGVs or convoys. This would be potentially once in each HGV or convoy trip or twice with an abnormal load.

I therefore consider that paths would cross frequently, but only up to 4% of existing vehicles would be likely to meet single HGVs or convoys. This would be potentially twice in each HGV or convoy trip or nine times with an abnormal load. In view of the low level of paths crossing on the route as a whole, I do not consider that traffic regulation would be problematic."

In terms of the provision of temporary traffic stop and go boards, the Inspector concluded: "The travel time of HGVs, convoys and indeed abnormal loads through these sections would however be limited, as can be seen from the times to travel the sections along each lane. This, and the low frequency of movements, would result in the numbers of vehicles held being limited, and I thus do not consider that traffic regulation would be problematic."

In terms of the proposed provision of passing bays, the Inspector states: "The provision of passing places, which would be inter-visible apart from those areas covered by the traffic stop and go boards at some times, would improve this situation a great deal, including during any breakdown of existing or proposed traffic. Whilst this improvement would not outweigh the adverse impact that would result from the additional use of the lanes, it would materially offset this impact. Moreover, if the Council decided to retain the passing places after the completion of the development, then this would represent a benefit into the future."

The Inspector concluded that whilst there would be some inconveniences to pedestrian users together with some loss of amenity, this would not however be unacceptable in terms of highway safety and amenity, and that there would not be significant impact on either horse riders or cyclists..

The Inspector refers to the proposed Traffic Management Plan, that would be subject to a condition of the permission, and how this would resolve many of the issues raised by objectors. He adds that he anticipates that the formation

of a community liaison group, to be approved by the Council, would include lines of communication between local residents and the appellant and the Council. He concludes that the proposal would not necessarily have an unacceptable impact on the existing uses of the highways in the surrounding area and that it thus would not conflict with the NPPF.

The decision notice then looks at all other material considerations, including the following.

Hydraulic fracturing:

The Inspector concludes that no 'hydraulic fracturing' would take place as a result of this permission, that there is no apparent linkage between the development proposed and potential seismic effects, and that there would be no materially adverse geological effect.

The Inspector notes that the Government expects Mineral Planning Authorities to give great weight to the benefits of mineral extraction, and this includes shale gas exploration. The national importance of the development proposed is therefore a matter to which I attach great weight and it represents a benefit against which any harm from the development should be balanced.

Ecology:

The Inspector agrees with the appellant's findings that there would be limited temporary disturbance and displacement of breeding birds and that this would not be significant, subject to the imposition of a pre-commencement protected species survey condition. He was also satisfied that the development would not be reasonably expected to have an adverse effect on the conservation status of bats, and that additional traffic noise would not have a significant effect on hedgerow ecology.

Character and appearance:

The Inspector notes that views of the upper sections of rigs used on the site would be available over the woodlands and therefore present over a wider area. They would however comprise a single structure, in place for a period of some 25 weeks, and be seen in many views alongside the nearby wind turbines. He adds that site lighting would not be at a level sufficient to cause unacceptable nuisance. He does conclude that the development would detract from, and be harmful to, the landscape and visual character of the surrounding but that this harm or conflict would not however be sufficient reason to dismiss the appeal when balanced against the benefits of the development in terms of potential future energy supplies.

Living conditions:

The Inspector concludes that the development would not have a significant impact on local residents in terms of noise nuisance, vibration impact, air quality impact, or dust emissions.

Historic environment:

The Inspector concludes that the development would not have a harmful effect

on the significance of any heritage assets and would preserve their settings and the character and appearance of any nearby Conservation Areas in terms of their settings.

Aquifers:

The Inspector concludes that the development would have no adverse effect on water quality within the identified aquifers.

Human Rights:

The Inspector concludes that the proposed development would not cause unacceptable harm to living conditions and as such Human Rights would not be interfered with

Agricultural land:

The Inspector concludes that the loss of Grade 2 agricultural land for the period of the development does not weigh against the appeal.

Climate change:

The Inspector consider that the development itself would have minimal greenhouse gas emissions in terms of climate change.

Cumulative impact:

He notes that the Woodsetts and Marsh Lane, Eckington sites for similar developments are separated from the appeal site by some 5 and 11km and is satisfied that the effects identified from the development would not extend sufficiently towards these other sites in order for there to be a cumulative effect.

Conclusion

The Inspector concludes that the development could have a negative, but not significant, impact on features of biodiversity value for the period of the development and that the development would detract from, and be harmful to, the landscape and visual character of the surrounding area. These matters would not however outweigh the benefits from the investigation proposed in terms of future energy supplies, to which he gives great weight.

Having taken into account all other matters raised, including cumulative effects, the Inspector concludes that none carry sufficient weight to alter the decision subject to relevant conditions.

Conditions

The decision notice includes 30 conditions, some of which are 'pre-commencement' conditions that have to be addressed before the development takes place.