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Case Number	16/01375/FUL (Formerly PP-05029427)
Application Type	Full Planning Application
Proposal	Demolition of buildings, change of use of the land to use as a processing and storage facility for the production and recycling of road aggregate including the erection of buildings, plant and equipment (Use Class B2 & B8 - general industrial and storage and distribution) as amended 7.6.17, 28.2.18, 1.3.18, 20.3.18, 17.5.18 and 26.9.18 (amended description and drawings)
Location	Quarry Motors The Yard Rutland Street Sheffield S3 9PA
Date Received	11/04/2016
Team	West and North
Applicant/Agent	DLP Planning Ltd
Recommendation	Grant Conditionally

## Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

## Approved/Refused Plan(s)

2. The development must be carried out in complete accordance with the following approved documents:

Drawing nos.

A16-105-02 Rev X Existing Site Plan;  
received on 11.4.16.

017-011-001 Rev F Proposed Site Plan;  
017-011-002 Rev B Site Location Plan;

017-011-003 Rev D GA Plan;  
017-011-004 Rev D Proposed North East and North West Elevations;  
017-011-005 Rev A Proposed South East and South West Elevations;  
all received on 7.6.17.

YK5025-100-001 Rev B Swept Path Analysis Tipper  
YK5025-100-002 Rev B Swept Path Analysis Large Tipper  
YK5025-100-003 Rev B Extent Of Drop Kerb Widening  
all received on 26.9.18

Reason: In order to define the permission.

Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)

3. No demolition and/or construction works shall be carried out unless equipment is provided for the effective cleaning of the wheels and bodies of vehicles leaving the site so as to prevent the depositing of mud and waste on the highway. Full details of the proposed cleaning equipment shall be approved in writing by the Local Planning Authority before it is installed.

Reason: In the interests of protecting the free and safe flow of traffic on the public highway, it is essential that this condition is complied with before any works on site commence.

4. No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

5. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

6. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

7. No development shall commence until full details of measures to protect the existing trees to be retained, have been submitted to and approved in writing by the Local Planning Authority and the approved measures have thereafter been implemented. These measures shall include a construction methodology statement and plan showing accurate root protection areas and the location and details of protective fencing and signs. Protection of trees shall be in accordance with BS 5837, 2005 (or its replacement) and the protected areas shall not be disturbed, compacted or used for any type of storage or fire, nor shall the retained trees, shrubs or hedge be damaged in any way. The Local Planning Authority shall be notified in writing when the protection measures are in place and the protection shall not be removed until the completion of the development.

Reason: In the interests of protecting the identified trees on site. It is essential that this condition is complied with before any other works on site commence given that damage to trees is irreversible.

#### Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)

8. Before the development is brought into use, full details of the construction and geometry of the alterations to the vehicular accesses to the site shall have been submitted to and approved in writing by the Local Planning Authority. The approved alterations to the accesses shall be carried out before the use hereby approved is commenced and shall thereafter be retained.

Reason: In the interests of highway safety.

9. Prior to the commencement of roadstone processing and recycling activities hereby permitted, a scheme of noise mitigation and control measures based on the recommendations of Local Planning Authority approved 'Noise Impact Assessment', ref. 11903.01.v3 (Feb 2018) and designed to protect the local amenity at the positions of established and prospective sensitive uses shall have been implemented and shall thereafter be retained. A 'Post-Completion Noise Report' shall have been submitted to and approved in writing by the Local Planning Authority, within one month of normal process operations

commencing. The 'Post-Completion Noise Report' report shall be based on the recommendations of the Local Planning Authority approved 'Noise Impact Assessment, ref. 11903.01.v3 and shall include;

(i) Full details of the physical and operational measures employed to mitigate noise emissions from plant, processes, deliveries and despatch activities.

(ii) Post-completion verification testing of noise emissions, in accordance with an approved method statement.

Verification testing shall be designed to demonstrate that 'rating' noise level from the permitted activities does not exceed the established LA90 background noise level at assessment positions R1 and R2. In the event that the specified noise levels have not been achieved then, notwithstanding the sound attenuation works undertaken, a further scheme of sound attenuation works capable of achieving the specified noise levels and based on the recommendations of approved Noise Impact Assessment shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority within three months of the use commencing.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

10. Prior to the commencement of roadstone processing and recycling activities hereby permitted, details of an Environmental Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. All operations shall thereafter be undertaken in accordance with the approved procedures, which shall include the delegation of responsibilities for tasks and checks designed to monitor and control fugitive environmental emissions including; noise, dust, fumes and odours.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

11. Details of all proposed external finishes, including colour, of the structures, plant and equipment hereby approved shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development.

12. Before the development is brought into use, details of the proposed means of disposal of surface and foul water drainage, including any balancing works and off-site works, shall have been submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall not commence until the approved drainage works have been fully constructed in accordance with the approved plans.

Reason: To ensure that the development can be properly drained and to protect the public water supply.

13. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with.

14. The development shall not be used unless provision has been made within the site for accommodation of delivery/service vehicles in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, all such areas shall be retained free of all obstructions, including the storage, display and depositing of materials, packaging or other objects so that the service yard is fully available for the parking, turning and manoeuvring of delivery/service vehicles.

Reason: In the interests of highway safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

15. The development shall not be used unless details have been submitted to and approved in writing by the Local Planning Authority, showing how surface water will be prevented from spilling onto the public highway. Once agreed, the measures shall be put into place prior to the use of the development commencing, and shall thereafter be retained.

Reason: In the interests of highway safety and the amenities of the locality it is essential for these works to have been carried out before the use commences.

#### Other Compliance Conditions

16. No machinery shall be operated, no process shall be carried out and no deliveries taken at, or despatched from, the site outside the following times; 0700 hours to 1730 hours Mondays to Fridays and 0800 hours to 1730 hours on Saturdays, nor at any time on Sundays or Public Holidays.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

17. The selection and specification of any loading shovel or other on-site mobile plant employed on the site shall be for a quieter operating model fitted with broad-band environmental type reversing alarm, in accordance with the

advice provided in the Local Planning Authority approved 'Noise Impact Assessment, ref. 11903.01.v3; Feb 2018.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property.

18. The output of road aggregate from the site shall not exceed 15,600 tonnes per annum.

Reason: In the interests of the amenities of the locality and highway safety.

19. The existing boundary walls fronting Rutland Street and Woodside Lane shall be retained other than at the points of access to the site.

Reason: In the interests of the amenities of the locality.

20. Unless otherwise agreed in writing by the Local Planning authority, no external storage of materials, containers, skips or bins shall take place on the site other than in accordance with the locations shown on approved drawing no. 017-011-001Revision F.

Reason: In the interests of the amenities of the locality.

21. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: In order to ensure that any contamination of the land is properly dealt with.

22. No gates shall, when open, project over the adjoining footway.

Reason: In the interests of pedestrian safety.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.

2. The applicant is advised to contact the Environment Agency, Lateral 8 City Walk, Leeds, LS11 9AT (tel: 02030 256 648) regarding the requirements of the Environmental Permitting Regulations 2016.
3. It is noted that your planning application involves the construction or alteration of an access crossing to a highway maintained at public expense.

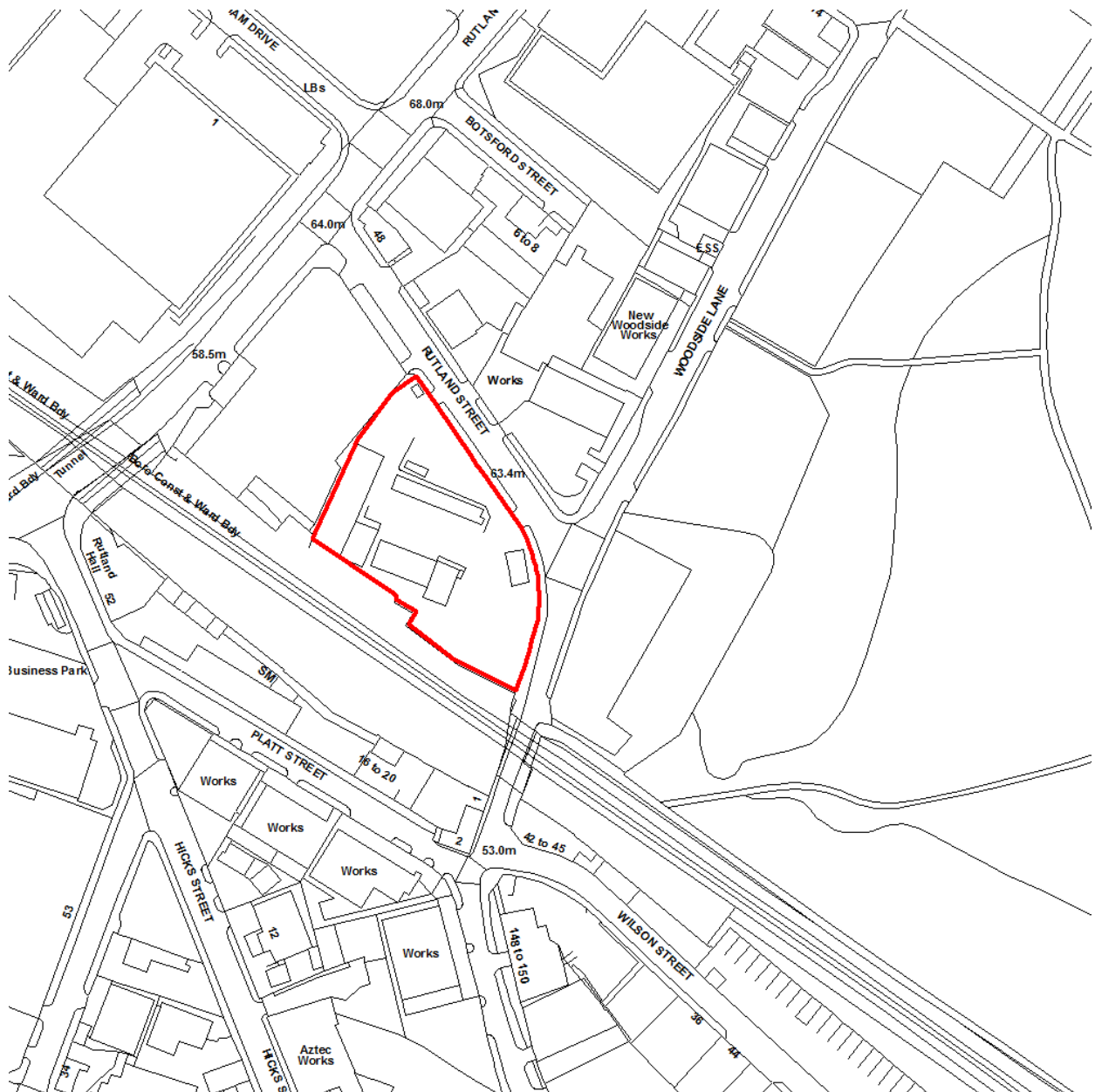
This planning permission DOES NOT automatically permit the layout or construction of the access crossing in question, this being a matter which is covered by Section 184 of the Highways Act 1980. You should apply for permission, quoting your planning permission reference number, by contacting:

Ms D Jones  
Highways Development Management  
Highways Maintenance Division  
Howden House, 1 Union Street  
Sheffield  
S1 2SH

Tel: (0114) 273 6136  
Email: dawn.jones@sheffield.gov.uk

4. The applicant is advised that whilst the proposed access arrangements have been developed with the aim to avoid the need to promote a Traffic Regulation Order, the applicant is advised to contact Mark Simons, Highways Development Control, Sheffield City Council, Howden House, 1 Union Street, Sheffield S1 2HH (0114 273 6950) regarding the requirements for, and the applicant's liability for associated costs of, a small amount of waiting/loading restriction that may be beneficial and in such circumstances.

## Site Location



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## LOCATION

This site is located on the south side of Rutland Street at its junction with Woodside Lane in a mixed industry and business area off Rutland Road.

The site comprises approximately 0.3 hectares of land and is currently used as a vehicle breakers yard.



The site is bounded by high stone walls to both road frontages with two entrance gates on the Rutland Street frontage.

The existing buildings on the site are generally located on the south and central parts of the site with most of the remainder of the site being used for open storage of vehicles including storage on racks and shipping containers for storing vehicle parts.

Immediately to the west, the site adjoins a large industrial building which fills most of its curtilage. Opposite the site on the north side of Rutland Street are various buildings and yards used for vehicle repair, vehicle spares and vehicle recovery businesses with outside storage of vehicles in their yards.

At the western end of Rutland Street is a public house with living accommodation above.

Opposite the site to the east on Woodside Road is an open yard used for parking and skip storage, beyond which is a belt of trees and the Stanley Fields open space area.

A railway line runs along the southern boundary of the site beyond which is the industry and business area off Neepsend Lane.

## PROPOSAL

The proposal seeks full planning permission for the change of use of the land to use as a processing and storage facility for the production and recycling of road aggregate including the erection of buildings, plant and equipment.

Following the original submission of this application, the applicant has provided additional information to clarify the proposal. Details of a building to enclose most of the plant and equipment have been submitted together with details of deliveries/collections, and the tracking of vehicle movements into and out of the site. A noise report and a revision to the hours of operation have also been submitted.

As amended, the proposal seeks to produce both new asphalt and recycled asphalt. The new asphalt would be produced from mixing new aggregates and bitumen. The recycled asphalt would be produced from surplus fresh asphalt that is left over from off-site work. The imported asphalt would be put through a milling machine to breakdown the material after it has cooled and set. This is then put through the tarmac plant with a bitumen rejuvenator additive to produce new asphalt.

The applicant has stated that approximately 300 tonnes of material would be produced weekly on Mondays to Fridays.

The proposal seeks to retain an existing office building on the southwest part of the site, demolish the remaining buildings and erect the main plant and equipment on the southern and central parts of the site.

Proposed building:

- the majority of the processing plant and equipment would be housed within the new building to be sited on the southern part of the site. This building would have a 12.9 metre by 13.4 metre base and would be 10 metres high.
- within the building the plant comprises blender/heaters (to soften the bitumen to bond the aggregates), fans/drying drums (to dry aggregate to ensure efficient bonding), screenings, and compressors.
- this equipment mixes, blends and bonds the product which is then released via a conveyor to the drop hopper.

Proposed plant and equipment:

Outside the processing building on its eastern side there would be:

- a row of supply hoppers (overall 29 metres in length, 2.3 metres wide and 3.7 metres high) and a low level covered conveyor taking the material into the building. These hoppers are fed with aggregate by a loading shovel (mini digger vehicle). The aggregate is then fed via conveyor into the processing equipment housed within the building.

Between the processing building and the southern boundary of the site there would be:

- two cylindrical bitumen storage tanks (each 3 metres diameter and 9 metres high) and a heater (3 metres high).

On the west side of the building there would be:

- two cylindrical bitumen feed tanks (each 2.9 metres in diameter and 14 metres high) with a feed pipe and support structure 15.6 metres high. These feed bitumen into the blenders and processing equipment housed within the building;
- gas scrubbers (5.7 metres by 2.3 metres base and 3.9 metres high) which take the air produced within the processing equipment and scrub to remove any noxious and inappropriate particulates before releasing the gases into the air via the chimney;
- a chimney and extract fan (0.5 metres diameter and 10 metres high);
- a control room building (4 metres by 2.2 metre base and 3 metres high).

On the north side of the building:

- an enclosed conveyor extending out from the building by 18 metres and rising up to 13.8 metres high would take the resultant product up to a finished product hopper above the collection point from where it would be discharged into the lorries collecting the final product. The hoppers and their supporting framework would be 4.4 metres wide as viewed from Rutland Street.

On the eastern side of the site:

- three aggregate storage bays.

The existing boundary walls and vehicle accesses would be retained with the eastern most access being used for ingress, and the westernmost access being for ingress and egress.

Following the submission of the noise report the applicant has stated that the proposal would operate between 0700 and 1730 hours. The applicant has clarified that there would be no operating on Sundays or Bank Holidays, and that there may

be the occasional Saturday but that this is not the main day for undertaking the operation. There would be 5 full time employees.

The applicant has submitted a Planning Statement, a Transport Statement and a Noise Impact Assessment in support of this application.

## RELEVANT PLANNING HISTORY

In 2011 retrospective planning permission was granted for the use of the site as an ELV (end of life vehicles) site (application no. 11/02377/CHU refers). A condition of this planning permission restricts the height of open storage of containers to being no higher than the boundary wall where they are within two metres of the boundary wall and elsewhere on the site to being no higher than 2 metres above the height of the boundary wall.

## SUMMARY OF REPRESENTATIONS

This application was publicised in 2016 by site notice and by notification letters to adjacent and nearby occupiers. The amendments to the application in 2018 have been publicised by way of site notice and notification letters to adjacent and nearby occupiers.

3 representations of objection were received to the proposals as originally submitted in 2016, including a representation on behalf of 5 local companies, relating to the following matters:

- the current breakers yard occupiers of the site state that if they are unable to operate their business duties from this site their business will no longer exist, will need 6 to 9 months before they can relocate, loss of 14 jobs, could mean related repairs business would cease trading, imperative find other premises before leaving, given sufficient notice will continue to trade;
- Rutland Road is a busy link road servicing the city centre, Rutland Street is approximately 4 metres wide, vehicles park on both sides of the street to attend existing small businesses, the Foresters public house business relies on customer street parking;
- Existing business are light industrial rather than heavy industrial, all require and rely on vehicular and customer access to and along Rutland Street;
- Applicant's exit and entrance is opposite entrance and exit to existing premises and 5 metres from to junction with Woodside Lane;
- Two way heavy vehicle accesses would necessitate parking restrictions and a one way flow which would have detrimental effect on commercial viability of existing businesses;
- Width of Rutland Street not compatible with cars parked and a two way lorry usage, access for heavy goods vehicles would be impracticable if not impossible;
- Entrance and exit from Rutland Street onto Rutland Road would create traffic flow problems and road/pedestrian safety issues;
- Existing gates may have to be substantially widened which could impact on parking and Woodside Lane junction creating access concerns and hazardous traffic issue;

- No mention of vehicle size or tonnage using Rutland Street;
- Traffic plan within the site not fully considered particularly regarding turning manoeuvres, entrance, exit and flow;
- No comprehensive traffic assessment;
- How many vehicles can the site permit at any one time, what is the contingency plan for vehicles unable to enter the site, drawings show two way access on both gates, will there be traffic light system for entrance and exiting, how will private collection vehicles times be enforced, low access bridge has not been addressed;
- Would create consistent noise, vibration, odour and dust during daylight hours, affect economy of current business usage particularly vehicle repairs and renovators/sprayers, an environmental assessment of dispersal of noise and dust is required;
- Applicant's suggest a production of 300 tons per week and 15,000 to 20,000 tons per year which is substantially more, clarification of production required;
- No independent assessment that the site will improve the carbon footprint or whether the use would be environmentally friendly;
- Boundary wall only sufficiently high to obscure the smallest of industrial or commercial buildings;
- Will unduly exceed height of boundary wall.

6 representations of objection, including 2 representations on behalf of 5 local companies, have been received following the submission of additional information in June 2018. These objections relate to the following matters:

- Rutland Street has established businesses, road also used by other businesses within surrounding roads for deliveries, increase in small and large commercial vehicles will have a detrimental effect on all businesses trading on Rutland street and surrounding streets;
- Large vehicles exiting Rutland Street onto Rutland Road will create congestion;
- A traffic regulation order to restrict parking will effect established businesses;
- The proposal will have a negative effect on local businesses;
- Production output figures incorrect, 20,000 tonnes per annum equates to an additional 100 tonnes per week which would result in higher number of lorries collecting and delivering to the site;
- 5 parking spaces for staff seem low;
- This business is unsuitable for the area, why build in an inner city area, not in keeping with changing character of the area;
- The Forest Hotel is a business and residence;
- Area around Rutland Street is being re-developed and is attracting more residential living, entertainment venues, bars, restaurants, commercial shopping, new residential on Stanley Fields, plans for ski village;
- The proposed use may be a potential nuisance if the wider residential project comes to fruition;
- Concerns what this will do for the area of Kelham, these plants are smelly, noisy and work unsociable hours involving a lot of coming and going of heavy trucks;

- The proposal for storage and recycling of road aggregate lies directly adjacent to the Woodside and Stanley Fields development area and with regard to paragraph 180 of the NPPF would present a barrier to the Council's aspirations to redevelop Woodside and Stanley Fields due to amenity issues that would likely arise, would hinder the wide scale strategic delivery of new homes in a sustainable location providing redevelopment opportunities and benefits, the UDP does not reflect the changing character of the area, the Woodside and Stanley Fields Planning and Design Brief (2015) provides the most up to date representation of the character of the area and the preferred redevelopment strategy;
- It will create air and noise pollution;
- No dust assessment carried out, disregarded dust dispersed by lorries transporting the aggregate, dust may be an irritant to health, not taken into account needs of local businesses and sensitivity to dust;
- Health issue of tar odour fumes emitted from the plant not addressed, no reference to an H4 odour management plan;
- How control noise from vehicles;
- The noise assessment report is based on a site not in a built up environment, external noise readings are not accurate for this partially enclosed site, no physical evidence of the containment of noise, takes no account of increased levels of noise to existing businesses, report does not consider potential output or scale of production process and consequent noise levels;
- The site is in an elevated position, highest noise will be emitted from gas burner assessed as 'very high', applicant's do not address this issue, present intermittent noise not comparable with high level of noise from processing plant;
- The applicants submission states that the site will only open occasional Saturdays and states that the facility will be open from 0700 to 1800 hours on Saturdays;
- Buildings will have an impact from some distance, no dimensions supplied for the finished product hopper;
- No notification received or visible notices displayed.

## PLANNING ASSESSMENT

### Policy Issues

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.

The Government's National Planning Policy Framework (NPPF) (paragraph 11) states that plans and decisions should apply a presumption in favour of sustainable development, and that for decision taking this means approving development proposals that accord with an up-to-date development plan without delay, or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in this Framework that protect areas or assets of particular

importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against policies in this Framework taken as a whole.

## The Development Plan

The Sheffield Local Plan includes the Core Strategy and the saved policies and proposals map of the Unitary Development Plan (UDP).

The UDP was adopted by the Council in 1998.

The UDP Proposals Map identifies the site as being within a Fringe Industry And Business Area. This Fringe Industry And Business Area includes the various industrial and commercial premises off both sides of Rutland Road south of its junction with Wood Fold and north of the railway line.

Adjoining the northwest side of the Fringe Industry And Business Area, the UDP identifies a Business Area off Wallace Road.

Immediately beyond these areas to the southeast and northwest of this Fringe Industry And Business Area, the UDP identifies the land at Stanley Fields and Parkwood as Open Space, beyond which to the east and north are the Housing Areas off Pitsmoor Road and Cooks Wood Road.

The UDP identifies land immediately south of the railway line as a General Industry Area.

UDP Policy IB6 states that the proposed use of the application site for general industry and for storage and distribution is a preferred use in the Fringe Industry and Business Area (UDP Policy IB6 refers).

The Core Strategy was approved by the Council in 2009.

Core Strategy Policy CS11 relating to employment locations in the north-east urban area states that new opportunities for employment, education and training will be promoted at Parkwood Springs Business Area and at Woodside (along Rutland Road/Oakham Drive). The Core Strategy states that there is demand for more local jobs, which would complement the physical renewal of the area and attract investment, and that these locations, together with Spital Hill, reflect new development opportunities within the area which are particularly accessible for residents of Burngreave.

The proposal is a preferred use in principle and complies with UDP Policy IB6 and Core Strategy Policy CS11.

The site borders the northern fringe of the city centre and an area, part of Kelham/Neepsend, which the Core Strategy identifies as a transition area. The Core Strategy states that in some areas the City Centre is no longer a suitable location for metal industries and related manufacturing because of topography and restricted

accessibility for industrial traffic, and competition from other more suitable and viable uses is increasing pressure for relocation.

This transition is recognised by Core Strategy Policy CS6 which states that manufacturing in city centre transition areas should not expand where it would detract from regeneration of the centre and will be encouraged to relocate providing suitable alternative sites and premises are available in the city. Core Strategy Policy CS17 relating to the distinctive and fundamental roles of different quarters of the city centre states that Kelham/Neepsend is formerly dominated by industry but becoming a focus for new riverside housing and jobs with the Inner Relief Road as a catalyst to redevelopment, and existing small businesses will continue to perform an important economic role for the city as a whole.

#### The Kelham Neepsend Action Plan

Prior to the adoption of the Core Strategy, Action Plans were prepared for most of the city centre to provide a finer grain of planning policy. One of these, the Kelham Neepsend Action Plan (2008), also included land at Woodside on the eastside of Rutland Road north of the railway line.

The Kelham Neepsend Action Plan stated that in land use terms Woodside would continue to be commercial in nature, that residential is not considered to be an acceptable use, and that the provision of higher quality commercial premises to encourage the retention of existing businesses and to attract businesses to the area would be encouraged.

The application site lies within his area of Woodside.

#### Draft City Policies and Sites (CPS) Document and Draft Proposals Map

The 2013 Pre-Submissions version of the Draft City Policies and Sites (CPS) Document and Draft Proposals Map are also a material consideration albeit with limited weight given that the documents are not to be submitted to the Secretary of State.

The Draft Proposals Map identified the application site, together with other land south of Rugby Street, as being within a General Employment Area where general industry and storage are acceptable uses (Draft CPS Policy H1). Land between Rugby Street and Wood Fold was identified as a Flexible Use Area which seeks a mix of housing and other non-industrial uses which are compatible with residential use.

Whilst the proposed development complies with Draft CPS Policy H1, this policy has little weight given that the Draft City Policies and Sites (CPS) Document and Draft Proposals Map are not to be submitted to the Secretary of State.

#### Stanley Fields Planning and Design Brief

The Stanley Fields open space lies to the east of the application site beyond Woodside Lane.

The 'Land at Stanley Fields, Pitsmoor Road and Pye Bank Road, Woodside Planning and Design Brief' was approved in 2015 and carries weight in the planning process as a material consideration.

This Brief identified opportunities to deliver housing in the area by swapping housing and open space areas to make housing development more viable. The Brief sets out policy criteria for developing on some of Stanley Fields.

#### Dominance of Industry and Business

UDP Policy IB9 relates to conditions on development in industry and business areas including criterion (a) that the proposed development would not lead to a concentration of uses which would prejudice the dominance of industry and business in the area or cause the loss of important industrial sites.

In this instance the proposed development is a preferred general industrial (B2) and storage (B8) use in this Fringe Industry and Business Area and would maintain the dominance of industry and business in the area.

#### Sustainability

UDP Policy MW6 promotes developments involving recycling and reclamation of suitable waste materials except where they would be incompatible with surrounding uses. Core Strategy Policy CS68 relating to waste development objectives seeks to manage the city's waste more sustainably and encourages reduction and reuse of waste products, and a range of additional treatment facilities mainly in industrial areas to meet the regional apportionment for commercial and industrial waste and other waste streams.

In this instance, the proposed facility includes the recycling of surplus fresh asphalt that is left over from off-site work. The proposal complies with the principles of UDP Policy MW6 and Core Strategy Policy CS68.

#### Highway and Transportation Issues

UDP Policy IB9(f) seeks to ensure that new development would be adequately served by transport facilities and provide safe access to the highway network and appropriate off-street parking.

NPPF paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The application site currently has two gated accesses onto Rutland Street which are shared by vehicles and pedestrians. There is no separate pedestrian access to the site. Either side of the two accesses is the frontage boundary wall.

The main route from the site to the strategic road network is along Rutland Street to its junction with Rutland Road. There is an alternate route to Rutland Road via



Woodside Lane/Rugby Street. The railway bridge over Rutland Street has a height restriction of 4.8 metres.

A secondary route to the southeast of the site via Woodside Lane/Harvest Lane/Mowbray Street to the Inner Ring Road is restricted by a low bridge with a height restriction of 2.7 metres immediately alongside the site.

On-street parking associated with nearby businesses occurs on Rutland Street.

The proposal would generate traffic movements to and from the site, comprising staff vehicles, deliveries and collections.

The applicant has stated that 4 deliveries per day are expected. These would be undertaken outside peak hours (usually midday and afternoon to avoid conflict with collection vehicles) and comprise 1 delivery each day of bitumen and other chemical additives delivered by tanker with the occasional delivery of drums, and 3 deliveries each day of aggregate using a six-wheel rigid vehicle.

Collections would be made via a series of vehicles (usually smaller flat back vans, small lorries and the occasional larger lorry) averaging 8 vehicles in early morning with some returning for secondary collections, and 2 to 3 larger HGVs per day.

5 on-site staff car parking spaces are proposed including one disability space.

There are currently no loading or waiting restrictions along Rutland Road and neighbouring businesses have become accustomed to using the road space for servicing and parking.

The applicant has submitted amended drawings showing revisions to the tracked manoeuvring routes of a large tipper vehicle and a large articulated vehicle entering and leaving the site. The revisions to the swept paths of these vehicles show these vehicles approaching the site eastwards along Rutland Street. The route and manoeuvring shown allows for on-street parking to be retained on both sides of Rutland Street with delivery vehicles driving up the middle of the road.

The revisions show that the existing ingress and egress geometry of the site access will need to be modified to accommodate the revised turning envelope. To accommodate these arrangements the drawing shows the western access widened from 4 metres to 12.5 metres, and the eastern access widened from 5.2 to 8 metres. The widening would occur on the inside of the two accesses.

It is considered that the applicant has demonstrated that, with appropriate access widening, the site can be satisfactorily accessed without impinging on availability of on-street parking on the north side of Rutland Street. The widening of the accesses would result a reduced availability for on-street parking on the south side of Rutland Street, however this reduction is not considered significant and any displacement of on-street parking in the area would not adversely impact on highway safety.

A condition to secure full construction details of the vehicular accesses is required.

## Impact on the Streetscene

UDP Policy IB9(c) seeks to ensure that new development would be well designed with buildings and storage of a scale and nature appropriate to the site. UDP Policy BE5 and Core Strategy Policy CS74 seek good quality design in new developments.

The character of the street and immediate area is of commercial and industrial properties.

The existing site is bounded by a stone wall on its frontages to Rutland Street and Woodside Lane. On the Rutland Street frontage this front boundary wall varies in height with the main sections of it being between 2.2 and 2.7 metres high and a short section up to 3.8 metres high. On the Woodside Lane frontage whilst the boundary wall maintains an internal height of approximately 1.5 metres above the application site level, due to the carriageway levels on Woodside Lane declining towards the adjacent railway bridge, the outer face of the boundary wall alongside the railway bridge is up to 6 metres high when viewed from the street. Whilst the boundary wall on these two frontages helps screen part of the site, some of the vehicles and containers stored on the site in association with the existing use of the site are visible above the wall when viewed from the adjacent streets. The car storage racks take up to three vehicles stacked vertically. Most of the shipping containers on the site are double stacked. Several of the containers and flat roofed buildings have vehicle parts stored on top of them.

The adjacent premises to the west comprise a large double ridged building sited close to the frontage with twin gables facing Rutland Street. This building has an eaves height alongside the application site of approximately 7 metres and its two ridges have an overall height of approximately 9.3 and 11 metres above ground level.

The north side of Rutland Street comprises two-storey buildings and high single-storey buildings, most with enclosed yards and high boundary walls.

The proposed development would have a functional industrial appearance, dominated by the large building, plant and equipment. The main impact of the proposal on the streetscene would be the 10 metre high building housing the main processing plant, the enclosed conveyor extending out from the building by 18 metres and rising up to 13.8 metres high together with its supporting structure, the cylindrical containers up to 14 metres high and their 15.6 metres high feed pipe, and the 10 metre high chimney. The proposal represents a continuation of the existing industrial character although it would appear more visually intrusive than the current use of the site.

The proposed building, plant and equipment would be clearly visible above the boundary wall when viewed from the adjacent streets with some limited visual effects being discerned from greater distances in the locality. The siting of the main building and the taller cylindrical containers and equipment towards the centre and rear (southern) parts of the site will reduce their visual impact on the immediate streets. The proposed enclosed conveyor belt and its supporting frame which projects

forward towards the frontage of the site will be more visually intrusive although the tower element of this item of plant/equipment is only 5.7 metres by 4.4 metres wide.

The character of development proposed for the site would remain as industrial. Whilst the height and appearance of the proposed development would have a greater impact on the streetscene than the heights of existing structures on the site, and some of the plant/equipment would be taller than the adjacent buildings, it is considered that the relatively compact siting on the major elements of buildings, plant and equipment towards the centre and rear of the site will ensure that its impact would not be so significant as to cause harm to the visual amenities of the streetscene.

The Stanley Fields Open Space Area is approximately 55 metres to the east of the application site. A belt of trees up to 40 metres wide runs along the western edge of the open space although there are views of the application site from the southwest corner of the open space area where a footpath link runs through a gap between the tree belts. Views of the proposed development from Stanley Fields would be mostly screened by this belt of trees.

Given the fall in ground levels to the south of the railway line, views towards the application site from the industrial and business area to the south, particularly from Rutland Road, Harvest Lane and Hicks Street, are mainly of the supporting walls alongside the railway line and the strip of trees running alongside the southern boundary of the application site. Whilst this strip of trees will screen most of the proposed development, the taller elements of the proposal would be visible above the trees mainly in more distant views of the site.

It is considered that whilst the proposed development would be visible within the streetscene and the surrounding locality, it would not appear particularly intrusive or out of character with the area.

The proposal complies with UDP Policies IB9(c) and IB5 and Core Strategy Policy CS74.

#### Noise Issues

UDP Policy IB9(b) seeks to ensure that new development in Fringe Industry and Business Areas would not cause residents or visitors in any hotel, hostel, residential institution or housing to suffer from unacceptable living conditions. UDP Policy IB9(e) seeks to ensure that new development would not harm the quality of the environment to such an extent that other new industry and business development would be discouraged.

UDP policies include Policy GE24 relating to noise pollution which seeks to ensure development will only be permitted where it would not create noise levels which would cause a nuisance, or locate sensitive uses and sources of noise pollution close together.

The noise report submitted by the applicant has assessed the likely noise implications associated with the proposed use. The report has also assessed the

implications on the potential future residential uses in the area at Stanley Fields to the east of the site.

The report states that background noise surveys have been carried out including at locations representative of the residential accommodation above the public house and land on the east side of Woodside Lane during the early morning and notes that the main source of noise was road traffic.

The report states that a similar, fully operational existing asphalt plant was visited to obtain indicative source noise levels. The plant was not enclosed with a building.

The report identifies the main source of noise from the proposed development to be the burners, the centrifugal fan and the loading shovel used to load the aggregate and dust supply hoppers. Other sources of noise would be the conveyors, rotating drying drums, mixer, compressor, filters, vibrating screens, finished product hopper, pumps and motors, and intermittent noise from delivery and collection vehicles.

The source noise survey results identified noise levels significantly above the surveyed background levels.

However, the report acknowledges that the majority of the plant items would be housed within a purpose built building. The aggregate and dust supply hoppers and the collection point would be external to the building.

The noise assessment in the report indicates that the impact of noise breakout from the building would be low (below background at the western end of Rutland Street and on Stanley Fields) apart from on the eastern side of Woodside Lane where there could be a slightly adverse impact (+3dB). When the loading shovel is working externally there could be a slightly adverse impact at the western end of Rutland Street and on Stanley Fields, and a significant adverse impact on the eastern side of Woodside Lane (+4dB, +2dB and +14dB respectively). This is based on a loading shovel with a tonal reversing alarm.

The noise assessment states that the noise from delivery/dispatch vehicle movement is calculated to be below the general plant noise and below the noise levels when loading shovels noise is included.

The Noise report states that the use of internal absorbent linings within the building or any open doors has not been included in this assessment, and that it would be possible to select a quieter model of loading shovel and to use a broad-band environmental type reversing alarm.

The report concludes that the proposal to enclose the plant within a building is likely to provide sufficient sound attenuation providing the sheeting design is as specified and that openings are dealt with in a satisfactory manner, that the conveyor openings can be dealt with by using conveyor covers sealed to the building façade, that typical measures can be used to achieve the noise design target for the centrifugal fan/stack and other items external to the building.

The report also concludes that the proposed plant would have a low noise impact if enclosed apart from at the assessed location immediately to the east of the site, and that further measures could be introduced at a later date if necessary.

It is considered that with suitable mitigation measures the impact on the prospective housing at Stanley Fields can be reduced to minimal levels such that any disamenity will be minimal. These mitigation measures would need to be secured by condition.

The impact of noise on the part of the existing industry and business area to the east between Woodside Lane and Stanley Fields is assessed as slightly adverse. The report notes that this impact could be further reduced with a quieter loading shovel using a broadband reversing alarm. This measure would need to be secured by condition.

The Council's Environmental Protection Service has advised that the assessment is clear that noise from vehicles delivering and collecting is not a significant component of the noise from the site in total. Process noise is the controlling factor for noise emitted from the site.

The variety and technical complexity of the noise report's recommendations will require a significant degree of diligence and competence in their installation and operation to achieve the degree of sound reduction predicted. Given the noise considerations, a condition is recommended to secure pre-commencement reporting of mitigation measures and verification of achievement of noise targets.

Conditions are also recommended to control the hours of the operation and annual output to ensure the proposal operates within the submitted parameters.

It is considered that, subject to the imposition of conditions to secure the control and reduction in noise emissions, the impact of the proposed development would not be so adverse that it would cause significant harm to the living conditions of existing and future occupants, and occupiers of other premises within the surrounding locality.

The proposal complies with UDP Policies IB9(b), IB9(e) and GE24.

#### Dust and Odour

The proposed roadstone coating and recycling activity will be subject to regulatory controls exerted under an Environmental Permit. This would be the primary framework for ensuring that any pollution from the activity in the form of emissions to atmosphere, including fugitive dust, fumes and odours, would be managed and that best available techniques would be employed to minimise any such emissions.

The Environment Agency have stated that there is currently an environmental permit in relation to the existing vehicle dismantling facility on the site and that as part of the surrender process the permit holder will have to produce evidence that the permitted activity has had no adverse impact on the condition of the land.

The Environment Agency has advised that they have no objections to the proposal and that the activity is likely to require an environmental permit from the Environment Agency.

It is considered that the management of materials handling, stockpile management, feed hopper transfers, conveyor belt movements and general cleanliness, and procedures for daily visible/odorous emissions checks and responses to adverse weather together with recording of checks and incidents are all matters that would need to be carried out and monitored by the operator during the operation of the facility to ensure there would be no significant impacts from dust and odours on the locality.

The Council's Environmental Protection Service has advised that a condition be imposed to secure an environmental management plan including measures to mitigate dust and odour would provide opportunity to compliment controls over fugitive emissions which will be exercised by the primary regulatory measures required by the Environment Agency.

It is considered that the impact of the proposed development would not be so adverse that it would cause significant harm to the living conditions of occupants within the surrounding locality.

#### Impact on the Surrounding Area

In light of the above, it is considered that the proposal would not unduly harm the initiatives to deliver housing and employment in the surrounding areas.

#### SUMMARY

The UDP Proposals Map (1998) identifies the site as being within a Fringe Industry And Business Area.

The proposal is a preferred use in this Fringe Industry And Business Area.

The Core Strategy (2009), which reflected the transitions occurring in parts of the city, states that new opportunities for employment will be promoted at Woodside (along Rutland Road/Oakham Drive).

The main route from the site to the strategic road network is along Rutland Street to its junction with Rutland Road. On-street parking associated with nearby businesses occurs on Rutland Street.

The applicant has stated that to accommodate the largest vehicles may require some alterations to the access width of the gates and the radii of the footway. The applicant's submissions show that large lorries would need to use the full width of Rutland Street for a short length on entering and exiting the site.

To maintain the availability of on-street parking on Rutland Street, a condition to secure revisions to the accesses to ensure such vehicles can enter and exit the site without the need for on-street parking restrictions is recommended.

It is considered that whilst the height and appearance of the proposed development would have a greater impact on the streetscene, its character would remain as industrial, and its impact would not be so significant as to cause harm to the visual amenities of the street and the surrounding locality.

It is considered that, subject to the imposition of conditions to secure reduction in noise emissions, the impact of the proposed development would not be so adverse that it would cause significant harm to the living conditions of existing and future occupants, and occupiers of other premises within the surrounding locality.

It is considered that subject to a condition to secure an environmental management plan including measures to mitigate dust and odour, the impact of the proposed development would not be so adverse that it would cause significant harm to the living conditions of occupants within the surrounding locality.

In light of the above, it is considered that the proposal would not unduly harm the initiatives to deliver housing and employment in the surrounding areas.

The proposal complies with UDP Policy IB6, IB9, MW6, BE5, GE24 and Core Strategy Policy CS11, CS68 and CS74.

#### RECOMMENDATION

It is recommended that planning permission is granted subject to conditions.

