
2021/0706

Applicant: Mr William Booth

Description: Use of land for the storage of calcium carbonate sand.

Land accessed off Manchester Road and being part of the overall holding and known as Green House Farm, Lee Lane, Millhouse Green, Penistone, Sheffield, S36 7GF

Site Description

The site is an open area of land located to the south west of Millhouse Green and close to the junction of Fulshaw Lane / Hartcliff Road and Manchester Road. Access is via an existing track off Manchester Road, adjacent Green House.

The site is approximately 350m from Manchester Road, where the access takes a sharp turn to the right. It is a level area of land with bunding to 3 sides and open along the front. Farm vehicles were stored on it at the time of the site visit.

The access track leads from here to a minewater diversion and purification facility associated with Bullhouse Quarry.

Proposed Development

It is proposed to store 10,000 tonnes of wet calcite sand on the site. This would be brought to the site by bulk tipper trucks and stored here for use by Advanced Minerals Ltd, based in Deepcar.

The sand will cover an area approximately 50x50m and be up to 3m in height. Access is via the existing track off Manchester Road.

The material is stated to not be a waste product being the same constituent material (sio₂) as sandstone (millstone grit) in the case of sandstone on/at Hazelhead but in a different physical form. It is produced by extracting calcium from drinking water by the Surrey Water Board and supplied in pellet form and used in the supply chain to produce bathroom items such as shower trays. Advanced Minerals state this is not a product from factory abatement systems.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The new Local Plan was adopted at the full Council meeting held 3rd January 2019. In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision making process.

The site is located in the Green Belt as identified in the Local Plan. Policy GB1 protects the green belt in accordance with national planning policies as set out in the NPPF.

Other relevant policies include:

SD1 'Presumption in Favour of Sustainable Development'.

GD1 'General Development' provides a starting point for making decisions on all proposals for development setting out various criteria against which applications will be assessed.

GD2 'Temporary Buildings and Uses'

LG2 'The Location of Growth' sets out the priority given to development by location.

E1 'Providing Strategic Employment Locations' 297ha of land in sustainable locations is allocated to meet the development needs of existing and future industry.

E6 'Rural Economy' seeks to encourage a viable rural economy by allowing development in rural areas subject to various tests.

T3 'New Development and Sustainable Travel'. New development should be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.

T4 'New Development and Transport Safety'

D1 'High Quality Design and Place Making'

LC1 'Landscape Character' development is expected to retain and enhance the character and distinctiveness of the individual Landscape Character area in which it is located.

BIO1 'Biodiversity and Geodiversity' requires development to conserve and enhance biodiversity and geodiversity.

CC1 'Climate Change'

CC3 'Flood Risk'

CC4 'Sustainable Urban Drainage'

CC5 'Water Resource Management'

Min 1 'Minerals'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

UT1 'Hazardous Substances'

UT2 'Utilities Safeguarding'

SPD's

-Biodiversity and Geodiversity

Neighbourhood Plan (NP)

The Penistone NP sets the guidelines for their development of the town to 2033 in accordance with the Vision and 10 Objectives. There are no specific policies relevant to this development.

NPPE

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Relevant sections include:

6. Building a strong, competitive economy.

Paragraph 81. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Paragraph 84. Planning policies and decisions should enable:

- b) the development and diversification of agricultural and other land-based rural businesses.

Paragraph 85. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

13. Protecting the Green Belt

Paragraph 137. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Paragraph 138. Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

137. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

138. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

139. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;

- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

15. Conserving and enhancing the natural environment.

Paragraph 180. When determining planning applications, local planning authorities should apply the following principles:

- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

Paragraph 185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Consultations

Contaminated land – No concerns with regards to contamination risks from the proposal.

Drainage - The Council has records of a culverted watercourse crossing the site which will require protection, no materials should be stored within 3 metres either side of the watercourse measured from the centerline of the watercourse. Any liquid run off from the stored material must be stored in an appropriate structure within the site and should not be allowed to discharge onto adjacent land.

Environment Agency – No comments received.

Highways - I note from the further information provided from the applicant's agent, that vehicular trips associated with the neighbouring water treatment works are very minimal and as such should not cause any conflict with the proposed mineral storage facility.

Whilst the applicant intends to widen the access to ensure that there is no conflict in the instance that 2 vehicles wish to access and egress at the same time, I think it would be prudent to condition a delivery management plan to schedule the arrivals and departures to the site. Subject to this condition, together with the access improvements and the limited vehicle movements associated with the existing use within the site, I would be happy to remove my earlier objection

Pollution – No objections subject to conditions restricting delivery hours.

Ward Councillors – No comments received.

Penistone Town Council – concerns over the vehicular access for the site.

Representations

The application was advertised by a site notice and neighbour letters. 1 letter of objection has been received raising various concerns:

- The land is tenanted with the third party farmer having no interest in conservation;
- Two residential properties overlook the site;

- The land is visible and the bund does not make any difference;
- Noise and vibration disturbance from the vehicular traffic delivering and collecting the sand;
- Heavy tipper vehicles on an unmade lane are extremely noisy, especially when empty;
- Disturbance at night from lights and noise;
- No mention is made of working hours or the future use of the land, beyond 3 years;
- The proposed brings no benefits and will harm the enjoyment of the area and its tranquillity to the detriment of resident's health.

Assessment

The proposed development is a change of use of the land to allow for the storage of calcite sand on the site. As the site is located in the Green Belt policy GB1 and the corresponding paragraphs in the NPPF is the starting point for assessing the scheme.

Paragraph 147 confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 150 sets out certain forms of development which are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include material changes in use of land.

The proposed change of use does not conflict with the 5 purposes of including land within the Green belt and so the test is its impact on openness.

The NPPG provides some advice on assessing the impact of a proposal on the openness of the green belt stating it requires a judgement on the circumstances of the case and that matters to be taken into account can include, but are not limited to:

- openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation.

In the case of this development, the calcite sand to be stored is stated to be 10,000 tonnes which has been acquired by a local company, based in Deepcar, as a stock in preparation for Brexit and is currently stored at the port. It is desirable to relocate it here as this is closer to the business. The proposal is to relocate the sand to this site and remove it at intervals for use by the company in the production of blended mineral fillers over a period of 3 years. The material will be stored on the site in a pile no higher than 3m, limited by the vehicle type used. It will be covered by a tarpaulin.

In terms of its visual impact, the site is screened by the existing bund and topography. It is located circa 350m from the road, the nearest public right of way is in excess of 250m to the east and screened by the bund. To the north is the TPT, however, this is more than 500m away and views are screened by the existing topography and woodland. Some views are possible from the A628 to the south but these are distant and glimpsed. On this basis the proposed will not be highly visible.

The sand will be stored on site for a period of 3 years after which the land can be brought back to its current condition, or enhanced, by way of a condition. The site is currently flat and although not hard surfaced as stated, it is stony ground with limited vegetation growing on it.

In terms of activity to be generated, the applicant has said that the sand will be transported to site on bulk tippers, each carrying a 30-tonne load. This equates to 330 movements which will be split over a period of months with 3-4 movements a day between the hours of 12 and 4pm, weekdays

only. On this basis the sand would be delivered to the site over a 4 to 5 month period. No detailed information is provided in relation to vehicular trips to extract the sand but the agent has confirmed the same vehicle type will be used and a maximum of 3 trips in any given day. Over a 3 year period this would mean some days there would be no trips to site. Traffic impact, including noise from vehicles, is the main impact on openness, however, the access is already used by larger vehicles accessing the minewater diversion and purification facility to the south and the A628 is a main A road linking Sheffield to Manchester. This existing traffic mediates the overall impact to a degree. Further, the main impact will be limited to the first 4-5 months when the sand is delivered to the site, after which the number and frequency of movements will likely reduce as the sand is removed to meet demand over the 3 year period.

On the basis of the above assessment, it is concluded that there is an impact on openness but that this is limited in scale and temporary in nature and that the openness of the Green Belt can be preserved in the longer term.

The applicant has sought to demonstrate that the proposed storage of sand will supplement his farming income. This is linked back to uncertainties around farming subsidies following Brexit and the potential impact of recent trade deals on farming income. The NPPF is supportive of the development and diversification of agricultural and other land-based rural businesses. In addition, Local Plan Policy E6 seeks to encourage a viable rural economy by allowing development in rural areas subject to certain criteria including if it:

- Supports the sustainable diversification and development of the rural economy;
- Results in the growth of existing businesses;

The policy then includes various criteria which development such as this should meet. The proposed is not fully in accordance with these criteria, however, as it relates to the diversification of a rural farm which is not located close to or within a settlement some aspects cannot be applied. With regards to those criteria that do apply:

- Not have a harmful impact on the countryside, biodiversity, Green Belt, landscape or local character of the area; and
- Protect the best quality agricultural land, areas of lower quality agricultural land should be used for development in preference to the best and most versatile land

The applicant has stated that they intend to use the income from the proposed to supplement their wider income whilst introducing more biodiverse farming practices on the wider area. Detail on this is light so only limited weight is afforded this. Nevertheless, the site itself is stony ground and the access is an existing one, well used by large vehicles. As such the habitat value of the existing site is limited.

No detail has been provided regarding the agricultural classification of the land but a review of the maps held by Natural England show the whole area to be poor or very poor. The farm is stated to be grazing only.

On this basis, the proposed does not conflict with Policy E6 and the NPPF regarding the rural economy and diversification of farms.

Highways Officers have reviewed the proposed and initially raised concerns about the access which is not wide enough for two vehicles to pass. This could have resulted in large vehicles waiting on the A628 which would be a highway safety risk. The applicant has proposed an area of land adjacent the access be used to create a passing / waiting place, this land is within their ownership and the existing bell mouth of the access. In addition, they have agreed to provide a delivery management plan which will be drawn up with the operators of the minewater diversion and purification facility, scheduling arrivals and departures from the site. On this basis the Highways Officer has removed their objection.

Finally, although objections have been made by residents with regards the potential noise and disturbance resulting from the proposed, the Regulatory Services Officer has reviewed the proposed and deemed it acceptable, subject to a condition limiting delivery hours.

Taking account of the above, the proposed development is a change of use within the Green Belt. Therefore, it is capable of not being inappropriate in the Green Belt provided the openness of the Green Belt is preserved and there is no conflict with the purposes of including land within it. This has been assessed and, taking account of the existing access, overall visibility of the site and temporary nature of the development it is judged to be acceptable. In addition, there are no objections from consultees subject to conditions. Therefore, the proposed is recommended for approval.

Recommendation

Approve