

Agenda Item 6d

Case Number	20/03328/FUL
Application Type	Full Planning Application
Proposal	Erection of agricultural/horticultural storage and workshop building and polytunnel
Location	Land off Black Lane and to the rear of 547-573 Loxley Road Sheffield S6 6RR
Date Received	22/09/2020
Team	West and North
Applicant/Agent	Simon Elliott Associates
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:

Site location Plan with Redline Boundary published 24.09.2020
Proposed Polytunnel Elevations and Floor Plan published 24.09.2020
Proposed Storage and Potting Shed Elevations and Floor Plan and Site Plan (amended) received 19.01.2021

Reason: In order to define the permission.

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

3. Development shall not commence unless a scheme of sound insulation and/or attenuation works has been installed to the potting shed building and thereafter retained. Such works shall be based on the findings of a noise report submitted to and approved in writing by the Local Planning Authority and shall include an assessment of noise impacts on nearby noise sensitive

uses, in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound'.

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

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

4. The proposed facing materials and roofing materials shall be as listed on the submitted application forms (Polytunnel) and as detailed on the Revised Plan (potting shed) Rev B received 19.01.2021 unless alternative details have been first submitted to and approved in writing by the Local Planning Authority. Thereafter the structures shall be finished in accordance with the approved materials.

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

5. The intensity, direction and angle of any external lighting shall be in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to its installation. The Local Planning Authority reserve the right to require modifications at any time should the direction, intensity or angle of the floodlights become different to those approved and/or lead to light pollution.

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

6. Prior to the commencement of above grounds works, full details (including siting and design) of the ecological enhancements to be provided within the development shall be submitted to and approved in writing by the Local Planning Authority. The approved enhancements shall be installed on site prior to the development being brought into use and retained thereafter.

Reason: In the interests of protecting and enhancing biodiversity

Other Compliance Conditions

7. The business shall be operated so that no machinery, plant or equipment shall operate, no works of repair shall be carried out, nor shall any goods be received at or despatched from the premises outside the hours of 0800 to 1800 and Monday to Friday, or at any time on Saturdays, Sundays or Public Holidays.

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

8. Any fork lift trucks or other mobile plant or equipment operated on site and requiring the use of audible reversing alarms shall be fitted with white noise 'beepers', and shall not operate with a standard 'beeper' audible warning signal on the site at any time.

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

9. All mechanised processes associated with the development shall be carried out within the buildings on site, as approved in writing by the Local Planning Authority. No noisy machinery shall be operated in the open air.

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

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. Plant and equipment shall be designed to ensure that the total LAr plant noise rating level (i.e. total plant noise LAeq plus any character correction for tonality, impulsive noise, etc.) does not exceed the LA90 background sound level at any time when measured at positions on the site boundary adjacent to any noise sensitive use.

Site Location



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Location and Proposal

The application site relates to land to the south of No's 547 - 561 Loxley Road. The land is currently used in connection with nearby Loxley Nurseries for horticultural purposes.

The site is accessed from the west via Black Lane and is largely enclosed by existing conifer hedging and vegetation. Within the site at present are various plant growing bays, fencing and informal storage buildings.

This application seeks consent for a polytunnel which would be sited along the southern boundary of the site and which measures approximately 47m x 7.3m with an overall height of approximately 3.4m.

A storage and workshop building is proposed centrally within the site. This measures approximately 25m x 10m with a height originally proposed at approximately 6 metres to the ridge of the roof. During the course of the application the scheme has been amended, reducing the ridge height to 5.5m and the eaves to 4m and also amending the materials to vertical boarded timber cladding.

The buildings will be used in connection with the existing horticultural activities on site, with the polytunnel used for growing and the shed to accommodate machinery to facilitate plant potting. The shed would also be used for the storage of materials used in association with the growing of plants.

Site History

09/02937/FUL In November 2009, an application for the erection of a water tank was refused at committee on the grounds that it would be conspicuous in the locality, would detract from the openness and character of the locality and as such was considered to be contrary to Policy GE4 of the UDP.

Representations

15 letters of objection have been received following publicity of the scheme. This includes a letter of objection from Friends of Loxley Valley. In addition, Bradfield Parish Council have commented on the proposal. The points raised are summarised below:

- Inappropriate siting in the middle of the countryside.
- The Loxley Valley should be protected from unsightly buildings.
- Objection to the length and especially the height of the structures, which seem overly large for the purposes stated and the size of the site.
- The size of the potting shed structure would not be in keeping with the environment and will be an eyesore to all residents and members of the public walking in the Green Belt of Loxley, detracting from the open character of the

area contrary to the UDP.

- The proposed buildings would spoil much of Loxley's 'natural' and gentle character.
- The proposal would significantly alter the beautiful views of the Loxley Valley, behind houses, and due to its size will alter the landscape for others living on and behind Loxley Road.
- The existing slope of the land would not provide screening. The hedges would not screen unless grown to an unacceptable height.
- The poly tunnel would be highly visible. If the inner row of conifers grew further they would provide screening and they would not detract from the openness of the countryside.
- The covering letter attached to the application states that the buildings are consistent with agricultural/farm buildings. The inference being that the planned structures would integrate into the surrounding area. There are no such farm structures that are located some 30 metres from 10 – 12 domestic dwellings.
- The scheme should be amended to reduce the height, have a flat roof and relocate the structures at the furthest point from the domestic dwellings.
- The scale of polytunnels can be seen on the nursery site at Long Lane.
- The height of the potting shed is not marked on the plan.
- The height of existing screening suggest that the proposal will be very high.
- The field was originally a natural sheep field in Green Belt. The land should at the very least be retained as a green plant setting and any applications to erect/build structures for whatever means should be refused.
- Floor space is increasing from 45 to 580sq.m on a small piece of land. We also do not believe these buildings are needed for extra security but for more use as storage and a workshop.
- Concern is raised regarding the potential for alternative use of the structures in the future.
- Concern is raised that no detail is provided about lighting.
- Concern is raised regarding noise and disruption as a result of the work and nature of the proposed development, particularly due to the proximity of the cemetery.
- Objection is raised regarding noise from music and vehicles/ workshop and impact on wildlife from this.

- The development would destroy wildlife.
- Concern is raised regarding the impact on highway safety, particularly during construction and as a result of the development.
- There is no access to mains water which will lead to more problems with vehicular access.
- Concern is raised regarding traffic congestion and pollution.
- There is a natural spring that runs down to the river at Loxley Valley next to the sports ground. This sports ground is used regularly by young children for football. The risk of contamination to the river and sports ground should any significant rainfall or flooding occur is a real concern.
- Reference is made to the previous refused application. This was for a much smaller development and the site has not changed since then.
- Comment is made regarding the changed character of the site from open field to enclosed working nursery, with high borders blocking views.
- Plans submitted showing existing layout is misleading as they do not show the existing screen hedging which is directly at the bottom of 547- 561.
- Disappointed that neighbours 565-573 have not been advised/consulted on proposed plans.
- Objection is made to the consultation process being reliant on people having internet access and being computer literate. Thus meaning not everyone can comment.
- Although the site slopes down from north to south away from our houses, the structures will not be well screened.
- Comment is made regarding the recent removal of conifers along the northern edge of the site.
- Granting consent for this could result in further applications for more structures.
- Query is raised as to why the applicants can't build on another site in their ownership.
- It is claimed that the need for storage has not been justified in this location.
- More weight is being given to a business than to 20 – 30 residents.
- The development would devalue property.

Friends of Loxley Valley:

This is a prominent Green Belt site when viewed from Loxley Rd, Rodney Hill and the valley sides. As such it falls under the principle of, 'Development not damaging views in and into the Loxley Valley,' which is enshrined in section a) of the Supplementary Planning Guidance, on P26 of the Loxley Valley Design Statement.

Concern is raised regarding the development of the site in past years and it is queried whether the existing buildings are permitted development.

Concern is raised that it might not be possible to screen a large white polytunnel from view.

Concern is raised that in the future further applications for similar structures would be made as has been the case on the main nursery site. Concern is raised that this once meadow would be similarly covered to the detriment of the openness of the Green Belt.

As LVPS stated in 2009, regarding the potential development of this site, it would, 'result in the overdevelopment of a sensitive and attractive pastoral site in a very pretty Green Belt setting.'

Concern is raised that the structures would affect the openness of the Green Belt, particularly the polytunnel.

Bradfield Parish Council

There are concerns that this application is out of keeping with the area.

Policy Context

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

The Council's development plan comprises the Core Strategy which was adopted in 2009 and the saved policies of the Unitary Development Plan which was adopted in 1998. The National Planning Policy Framework published in 2018 and revised in February 2019 (the NPPF) is also a material consideration.

Assessment of a development proposal needs to be considered in light of paragraph 11 of the NPPF, which provides that when making decisions, a presumption in favour of sustainable development should be applied, and that where there are no relevant development plan policies, or where the policies which are most important for determining the application are out of date (e.g. because they are inconsistent with the NPPF), this means that planning permission should be granted unless:

- the application of policies in the NPPF which relate to protection of certain areas or

assets of particular importance which are identified in the NPPF as such (for example SSSIs, Green Belt, certain heritage assets and areas at risk of flooding) provide a clear reason for refusal; or

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. This is referred to as the “tilted balance”.

The most important policies for this application relate to:

- Whether the development is appropriate in the Green Belt.
- The visual impact of the development on the open character of the Green Belt and whether the scheme is of an acceptable design.
- The impact of the development on residential amenities.
- The impact of the development on highway safety.

Principle of Development

UDP policy GE3 relates to new buildings in the Green Belt and states that in the Green Belt the construction of new buildings will not be permitted, except in very special circumstances, for purposes other than agriculture and other listed appropriate purposes.

Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, but goes on to explain that exceptions to this include buildings for agriculture.

The aims of the local and national policies closely align with significant weight therefore afforded to the UDP policy.

The definition of agriculture includes horticulture, which relates to the growing on of plants. It is necessary for the land to be in use for agriculture and used for the purposes of trade and business.

The new buildings are for use in connection with the existing horticultural use of the site. They do not constitute inappropriate development in the Green Belt and they are considered to be acceptable in principle as permitted by Policy GE3 of the UDP and paragraph 145 (a) of the NPPF.

Impact on the Character of the Green Belt / Visual Impact

UDP Policy GE1 (Development in the Green Belt) states that, unless very special circumstances exist, development that, amongst other things, would lead to the encroachment of urban development into the countryside will not be permitted.

UDP Policy GE2 (Protection and Improvement of the Green Belt Landscape) states that in the Green Belt, measures will be taken to maintain and enhance those areas with a generally high landscape value.

Policy GE4 (Development and the Green Belt Environment) states the scale and

character of any development which is permitted in the Green Belt or would be conspicuous from it, should be in keeping with the area and, wherever possible, conserve and enhance the landscape and natural environment.

Paragraph 133 of the NPPF states that the fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open: the essential characteristics of Green Belt are their openness and permanence.

NPPF paragraph 134 sets out five purposes of the Green Belt which include: to check the unrestricted sprawl of large built up areas and to assist in safeguarding the countryside from encroachment.

The aims of the NPPF closely aligns with UDP policies GE1, GE2 and GE4 and the local policy can be given significant weight.

UDP Policy BE5 (Building Siting and Design) and Core Strategy Policy CS74 (Design Principles) are also of relevance and both seek to ensure good quality design in all new development.

In addition, the site falls within the area covered by the Loxley Valley Design Statement Supplementary Planning Guidance (SPG). It is considered that the most relevant sections are:

- 2.1 which states that development should not damage important views in and into the Loxley Valley.
- 2.2(a) which states that new structures should harmonise in design and scale, and be of materials consistent with neighbouring buildings, to produce a sense of unity.
- 2.3(b) which states that new barns should be set below the skyline and within the curtilage of existing buildings. They should be of dark colour to blend with the landscape and screened with groups or clusters of trees and shrubs, native species, preferably from seed of local provenance, from local nurseries.
- 2.3 (f) which promotes wildlife access for new outbuildings.

As described above, the proposed development is not inappropriate development and so it is not, by definition, harmful to the Green Belt. Moreover, due to its character and siting, it is considered that the development would not appear as urban sprawl.

The site is located on gradually sloping land, on the valley side. Houses on Loxley Road abut the site to the north and are elevated above the site. To the west between Black Lane and the site is an intervening field used for grazing. The access track to the site runs along the bottom of this and the western boundary of the site consists of conifer hedging at approximately 3 metres in height. The southern boundary of the site is formed by a further conifer hedge at approximately 1.8 metres in height. The eastern boundary is a mix of vegetation with some mature trees.

Within the site there are growing bays laid out and towards the southern edge are some storage buildings. Whilst the site is intensively used at present, much of it is screened by the existing hedging and internal views of the site are not prominent from public view points from this side of the valley, i.e. from Black Lane, or the footpaths that run close to the bottom of the valley.

It is acknowledged that the residents to the north have a clear view of the site, however it is not the role of the planning system to protect individuals private views.

There are glimpses of the site between the houses on Loxley Road however these views are not prominent

Visibility of the site from the opposite side of the valley is over a long distance and seen against the backdrop of residential development to the north.

The proposed potting / storage shed would be positioned to the south of an internal conifer hedge which is approximately 2 metres in height and orientated running east to west, midway down the site.

The siting of this is considered appropriate as it runs across the slope of the valley rather than down it which would generate the need to change levels and potentially elevate it to create a level platform.

The decision to position the shed midway down the site does make it more prominent than had it been built along the northern boundary. However, this gives some breathing space between the houses and the building. It is also clear from the style of the building that it is for use in connection with the existing horticultural use of the land and it would not appear as an urban encroachment. Furthermore there is other nearby development located beyond the urban edge including dwellinghouses to the east which are positioned partway down the slope of the valley, a pavilion further down Black Lane serving the sports ground, and a cemetery to the west. The proposed development do not sit in an entirely rural setting and the presence of other structures means that they would not appear as isolated structures.

The building would be positioned to the south of the internal hedge which runs east to west within the plot. This hedge is approximately 2 metres in height. The structure is sizable in terms of footprint, but within the context of the size and width of the site it is not overly large and the adjoining hedge will help to mitigate its visual impact in some views.

The building would be visible above the height of some existing boundaries. The applicant has reduced the height of the building following concerns raised, but has indicated that the height proposed is necessary to accommodate the machinery for potting and vehicles/ machinery to enable the large pallets of potting compost to be lifted into these machines.

The proposed materials have been amended during the course of the application to vertical timber cladding for the walls and grey profiled metal cladding for the roof. These are appropriate materials which would sit comfortably in the landscape. This accords with the Guidance contained within section 2.3 (b) of the SPG relating to

barns.

The shed would be visible from Black Lane but would not appear overly conspicuous or out of character. The network of footpaths below the site is distanced by intervening fields and from these, there would be limited visibility of the proposed structures. From the other side of the valley the development would be seen in context with the other features discussed above.

This building is appropriate development and typical in scale, massing and appearance of an agricultural storage building in a rural area. It is considered that the building would not damage important views into or out of the valley or cause an unacceptable degree of visual harm to the open character of the Green Belt.

The polytunnel is proposed to be sited running east to west along the southern boundary. There would be some visibility of the tunnel, due to it exceeding the height of the southern conifer hedge and also the side elevation would be visible from Black Lane. The nature of the materials would also add the visibility of this. However, the visual impact has been minimised by siting it adjacent the boundary where there is some screening. The curved design also reduces the massing and therefore the prominence of the polytunnel. Again this type of development is not inappropriate and in the context of the site's use and the immediate area, where there are existing structures on the valley side, and from long distances, it is considered that the polytunnel would not be visually harmful and would not significantly harm views or detract from the open character of the Green Belt.

Residential Amenity Impact

The proposed structures are to be sited within the centre of the site and towards the southern boundary. There would be approximately 50 metres between the development and the boundaries of the nearest residential properties. As such the development would not result in residential disamenity through overshadowing or overbearing implications.

UDP Policy GE24 seeks to ensure that development would not create noise levels which would cause a nuisance or be located so that sensitive uses and sources of noise pollution are close together.

During the course of the application the applicant has provided further details of the machinery to be used on site. This includes a potting machine, a compost handling machine, a vertical bale opening machine and a fork lift. These have the potential to cause some noise nuisance, without mitigation. The applicant has confirmed that all machinery with the exception of the fork lift will operate solely within the building.

The fork lift already operates on site and would be used outside the building for unloading / loading supplies, comings and goings to the main nursery site on Long Lane and also within the shed for stacking and moving materials.

Officers are satisfied that the distance of the building from residential properties, together with sound attenuation measures (based on a noise report) and controls over the hours of use for operating the machinery reserved by condition, will prevent

unacceptable levels of noise nuisance from arising. Furthermore, a condition can control the noise on any beepers on the forklift to ensure that they are white noise rather than standard.

Paragraph 180 of the NPPF seeks to ensure impacts of development in terms of pollution are appropriate in terms of impact on health and living conditions as well as the natural environment. As discussed above the scheme would be compatible with the adjacent residential uses and also the wider area which, whilst largely open fields, is not devoid of noise generating activity due to its proximity to the urban edge, sports ground and cemetery.

The scheme also accords with paragraph 127 (f) of the NPPF which seeks to promote high standards of amenity.

The aims of the local policy closely align with the aims of the NPPF. The local policies are therefore attributed significant weight.

Highway Safety Implications

There is an existing access into the site off Black Lane. The applicant has confirmed that significant changes in vehicle movements would not arise as a result of the scheme. There would be no deliveries or collections from the site by external companies. These would be delivered to the main site on Long Lane and transported to the site using small pick-up vehicles that already visit the site daily. No visitors or sales would take place from the site.

At present, on average 2-3 employees work on site at any time. This would increase to around 3-4. Employees come from the main site in vehicles and generally park at the Long Lane site.

Any intensification of vehicle movements arising from the proposed development would not be significant and so do not generate highway safety concerns.

There would be some inevitable activity during construction, however the scale of the build is not significant to the extent that significant issues would arise.

The scheme would accord with the aims of paragraph 109 of the NPPF, which seeks to avoid unacceptable impacts on highway safety.

Response to Representations

Many of the issues raised by objectors have been discussed above. Remaining issues are addressed below.

The height of the potting shed is not marked on the plan – Whilst it is not annotated, the plan is drawn to scale.

Concern is raised regarding the potential for alternative use of the structures in the future – Should the use of the site change, this would have to go through an application process and be assessed at that point in time.

Concern is raised that no detail is provided about lighting - This issue can be controlled by condition.

Concern is raised regarding noise and disruption as a result of the work and nature of the proposed development, particularly due to the proximity of the cemetery and impact on wildlife - Some noise and disturbance may occur during construction. Separate legislation exists to address significant issues that arise in this respect. Other noise generation issues are discussed above.

The development would destroy wildlife – The areas where the proposed structures would be sited are already used as growing bays and so the development would be highly unlikely to impact on wildlife. However a condition is proposed to secure ecological enhancements as a result of the development in line with 2.3 (f) of the Loxley Valley Design Statement SPG.

There is no access to mains water which will lead to more problems with vehicular access – The existing activities on site already require water. It is not anticipated that there would be a greater need for vehicular access as a result of the development.

Concern is raised regarding contamination and pollution – The nature of the proposal is such that it would not materially result in any implications in this regard.

Reference is made to a previously refused application for a much smaller development and the site has not changed since then - The previous application was refused at committee against officer recommendation. At that time it is understood that the current extent of activities on site were not established. In the intervening time there have been physical and visual changes on site, with the establishment of the growing bays, boundary hedging and informal buildings. The laying out of the growing beds would not have required planning permission. The current scheme is not inappropriate development and the impact is assessed above.

Plans submitted showing the existing layout are misleading as they do not show the existing screen hedging which is directly at the bottom of 547- 561. The plans are sufficient in demonstrating what is proposed and where. A site visit was undertaken pre-lockdown which allowed for the impacts to be fully assessed.

Disappointed that neighbours 565-573 have not been consulted on proposed plans. - Neighbours directly abutting the site have been informed of the application in line with our Statement of Community Involvement.

Objection is made to the consultation process being reliant on people having internet access and being computer literate. Thus meaning not everyone can comment – It is still possible to comment via mail to Howden House.

Granting consent for this could result in further applications for more structures – Any future applications would be assessed on their own merits.

Query is raised as to why the applicants can't build on another site in their ownership/ alter the design and siting of what has been submitted – The application

has been submitted on this site and a decision must be taken applying the relevant policies.

The development would devalue property – Non planning issue.

Comment is made regarding the recent removal of conifers along the northern edge of the site. – Non planning issue

Loss of beautiful view and impact that this has on residents health and well-being – The impact on wider views is discussed above. Individuals do not have a right to a view across other people's land.

Summary and Conclusion

The scheme involves the erection of a horticultural storage / workshop building and a polytunnel to be sited on land that is currently used for horticultural purposes. The site is located in the Green Belt and such development is not inappropriate.

Whilst the development is fairly sizeable, it can be accommodated on site without it appearing over developed.

The structures would be visible from outside the site, however their siting is appropriate and amended plans have reduced the height of the shed. The structures are utilitarian in their design and due to their nature would not appear out of character in this location. They have been sited and designed as far as possible to avoid being overly conspicuous, mitigated to a degree by existing hedging, and given the wider context and pattern of development on this side of the valley they would not cause unacceptable harm to important views or compromise the appearance and open character of the Green Belt To an unacceptable degree.

Whilst the mechanical equipment to be accommodated within the shed would generate some noise, a set of conditions are proposed to ensure measures that mitigate this. These measures, together with the distance of the shed from neighbouring residential property, is such that the scheme would not have an unacceptable impact on the amenities of these residents and the general amenity of the wider locality.

Significant intensification of vehicle movements would not be generated as a result of this scheme. The development would not have a material impact on highway safety.

As the aims of the local policies and the NPPF closely align it is not necessary to implement the "tilted balance." The local policies carry sufficient weight.

For the reasons above the scheme accords with policies GE1, GE2, GE3, GE4, GE24 BE5, CS74, the aims of the Loxley Valley Design Statement and SPG and the NPPF. Approval is recommended subject to the proposed conditions.

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