

**Report of the Chief Executive**

<b>APPLICATION NUMBER:</b>	<b>20/00585/FUL</b>
<b>LOCATION:</b>	<b>Land at Greasley Castle Farm, 120 Church Road, Greasley, NG16 2AB</b>
<b>PROPOSAL:</b>	<b>Change of use from agricultural land to mixed use agricultural and outdoor leisure/recreational use and erect two Polytunnels, two steel containers for tool storage and portacabin for community use</b>

This application has been called to Planning Committee as it is inappropriate development in the Green Belt

1 Executive Summary

- 1.1 This application seeks permission to change the use of the existing agricultural field, to have a mixed use of agriculture and outdoor recreation/leisure use. The recreation use is proposed by the Rainbow Parents Carer Forum and is to provide countryside facilities related to farming and open-air facilities to support children with a special educational need and/or disability.
- 1.2 The application site is located in the Green Belt. Whilst the proposal is not identified by the NPPF as an exception to inappropriate development, it is considered that very special circumstances apply, the benefits of which outweigh the harm to the Green Belt. The very special circumstances demonstrated relate to the use of the site by a charitable organisation to provide a space for children with disabilities and their families to grow crops, plant flower beds, and partake in other outdoor activities to support these families and advance education, social-independence and work-readiness for those with disabilities. The development is considered to have a limited impact on the openness of the Green Belt, and the buildings proposed on the site are all of a temporary nature, allowing the site to be returned to its current state in the future if required.
- 1.3 The proposed buildings consist of a portacabin for a site office and 2 containers for storage of tools and equipment. These will be dark green in colour and sited close to the north and east boundaries respectively. The buildings will not be overly prominent and therefore are not considered to be harmful to the character of the area. The proposed polytunnels are typical of structures that are often used in association with agriculture and are therefore considered acceptable.
- 1.4 There are a range of heritage assets to the north of the site including Grade II Listed buildings and a Scheduled Ancient Monument. It is considered that the heritage assets are a sufficient distance from the application site to ensure that the proposal will not have a harmful impact on their character and setting.
- 1.5 Overall, the proposal is considered to be acceptable and therefore it is recommended that planning permission is granted in accordance with the resolution contained in the appendix.

**APPENDIX****1 Details of the Application**

- 1.1 This application seeks permission to change the use of the existing agricultural field, to have a mixed use of agriculture and outdoor recreation/leisure use. The recreation use is proposed by the Rainbow Parents Carer Forum and is to provide countryside facilities related to farming and open-air facilities to support children with a special educational need and/or disability.
- 1.2 The recreational use will include rural based activities such as growing crops, creating small scale planting beds and providing space for general open air activities. To support the use, the applicant proposes to site a portacabin on the north boundary of the site for use as a site office, 2 shipping containers on the east boundary of the site to be used for tool storage, and 2 poly tunnels to support the growing of crops and flowerbeds.
- 1.3 The Planning Statement provided by the applicant identifies a second stage of development which includes 3 camping pods to provide overnight care and short breaks for parent/family respite. This is provided by the applicant for information only, and does not form part of this application. The granting of this application would not allow for this proposal, which would still be subject to separate a planning application in the future.

**2 Site and surroundings**

- 2.1 The application site consists of a single field, bordered by hedgerows and surrounded by open fields. The site is located within the Nottinghamshire Green Belt. It is accessed from Church Road, via the existing access to Greasley Castle Farm.
- 2.2 The application site is within reasonably close proximity to the remains of Greasley Castle, which is a Scheduled Ancient Monument, and Greasley Castle Farmhouse, the Font in the grounds of 120 Church Road, The Church of St Marys and The Sexton's House, which are all Grade II Listed Buildings. These heritage assets are all located to the north of the application site.

**3 Relevant Planning History**

- 3.1 There is no relevant planning history for the application site.
- 3.2 In 2019, planning permission 19/00418/FUL was granted on the field to the south east of the application site for the change of use from an agricultural field to recreational use as an archery field. This proposal also included the siting of 2 portacabins and a storage container.

#### 4 Relevant Policies and Guidance

##### 4.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy A: Presumption in Favour of Sustainable Development
- Policy 2: The Spatial Strategy
- Policy 10: Design and Enhancing Local Identity
- Policy 11: Historic Environment

##### 4.2 **Part 2 Local Plan 2019**

- Policy 8: Development in the Green Belt
- Policy 17: Place-making, design and amenity
- Policy 23: Proposal affecting designated and non-designated heritage assets.

##### 4.3 **National Planning Policy Framework (NPPF) 2019:**

- Section 2 – Achieving Sustainable Development.
- Section 4 – Decision-making.
- Section 12 – Achieving well-designed places.
- Section 13 – Protecting the Green Belt.

#### 5 Consultations

5.1 **Council's Environmental Health Officer:** No objection raised. Requested informative note to applicant regarding the burning of commercial waste and the provision of appropriate washing and toilet facilities on site.

5.2 **Council's Conservation Officer:** No objection raised to the principle of the application. The topography and natural vegetation contain the remains of Greasley Castle ensuring that the two sites do not have a direct visual connection. The proposal is for temporary structures, and once the project is complete the land could be returned to its existing condition with minimal disturbance. It is not considered that the proposed development would have a significant impact upon heritage assets in the immediate area. Positioning of the containers will be relevant once the land is prepared to receive them, and as per the plan, these should be where the topography of the land falls away from the SAM into the dip in the field and sheltered from view by existing vegetation.

Car parking was discussed on site, and the necessity for this is recognised. It is suggested that landscaping works allow for an area of meadow to have a drained system installed and a product such as grass blocks be installed to provide a semi-hard surface whilst maintaining the grass cover and as per the buildings, a reversible solution.

5.3 Two properties either adjoining or opposite the site were consulted and a site notice was displayed. One response has been received raising concerns about

the commercial development opportunity being pursued that is not appropriate on Green Belt/agricultural land.

## 6 Assessment

6.1 The main issues for consideration are whether or not the proposal is appropriate development in the Green Belt, the design and appearance of the proposal and whether or not it has any impact on nearby heritage assets. The site is not located within a residential area or in close proximity to residential dwellings, and therefore it does not raise any concerns regarding its impact on residential amenity.

## 6.2 **Principle**

6.2.1 Paragraph 143 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 states that 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.

6.2.2 Paragraphs 145 and 146 of the NPPF identify development that can be considered an exception to inappropriate development. This includes buildings for agriculture, the provision of appropriate facilities for outdoor recreation and allotments, and the material change in use of the land. Whilst the activities proposed and associated buildings are of a similar type to those associated with agricultural uses, the proposed use is not for agriculture, and therefore it cannot be considered an exception to inappropriate development for this reason. Furthermore, it is considered that the proposed uses are not strictly recreational or for allotments, but considered more of a leisure use, for which there is no exception provided by the NPPF. Whilst the material change of use of the land could be considered as an exception to inappropriate development, for the proposal to work it requires the provision of the portacabin, storage containers and polytunnels. Therefore, when taken as a whole the application goes beyond the material change of use of the land and therefore cannot be considered an exception to inappropriate development in accordance with paragraphs 145 or 146.

6.2.3 In order to be considered acceptable the proposal must therefore be able to demonstrate that very special circumstances apply that outweigh the potential harm to the Green Belt. The applicant is a registered charity for the support of parents and families of children with disabilities and special educational needs. The aim of this proposal is to create a site that offers a range of benefits to support these families and advance education, social-independence and work-readiness for those with disabilities.

6.2.4 The nature of the proposal requires a site that offers large open space that is accessible and away from built up areas. The application site is able to offer this, with convenient access from local towns and villages, as well as being on a bus route. Given the nature of the requirements, it is likely to be difficult to find a similar site that is not within a Green Belt location.

- 6.2.5 Whilst the proposal does not meet the specific requirements of paragraphs 145 and 146 of the NPPF as being exceptions to inappropriate development, the activities proposed do have a number of similarities to activities that are exceptions such as agriculture, outdoor recreation and allotments. The proposed buildings on the site are also in keeping with those that may be required by such developments, as demonstrated by the use of the field to the south east as an archery field (recreational use) with associated portacabins and storage container.
- 6.2.6 In terms of the harm of the proposal to the Green Belt, the proposed buildings are low level in terms of scale, and sited adjacent to the substantial hedgerows on the north and east boundaries of the site, reducing their prominence in the context of the site. The plans show the portacabin and the shipping containers to be green in colour which will ensure they blend in to the surroundings, especially when the site is viewed from afar. It is considered appropriate to condition this. Polytunnels are commonly used on agricultural fields to support growing, and it is considered that the siting of these structures within the site as part of the proposal will not be harmful to the appearance of the surrounding area. All of the proposed buildings within the site are of a temporary nature, and therefore, should this use cease, the land could be returned to its current state, therefore not damaging the long term character of the application site.
- 6.2.7 The applicant states within their planning statement that long-term funding for this project is not guaranteed and therefore they would be willing to accept an initial temporary permission of 5 years. Taking into account the style of the building proposed, and the location within the Green Belt, it is agreed that a temporary permission of 5 years would be appropriate, with this limit being conditioned. At that time the buildings are either to be removed, or the applicant can re-apply for permission.
- 6.2.8 Taking the above into account it is considered that the proposed development will not cause significant harm to the Green Belt, and that the very special circumstances demonstrated, notably the use by a charitable organisation to support families of children with special needs, would provide benefits that outweigh the limited harm.

### **6.3 Heritage**

- 6.3.1 The Conservation Officer has not raised any objection to the proposal. The site is sufficiently separated from the Listed Buildings and Scheduled Ancient Monument to the north and it is considered that the development will not have an adverse impact on their setting. The proposed buildings are relatively low in height and well screened by the hedgerows along the boundaries, with the topography of the site further reducing their visual impact. It is therefore considered that the proposal will not have an unacceptable impact on the heritage assets.

### **6.4 Design and Appearance**

- 6.4.1 The portacabin and containers are relatively low in height and small scale structures. The portacabin will be positioned close to the north boundary of the site, with the storage containers close to the east boundary. Both boundaries are made

up of substantial hedgerow, which will ensure the buildings are not overly prominent in the context of the site.

6.4.2 Whilst the design of the buildings is basic, taking into account their small scale and siting within the site it is considered that they will not be harmful to the character of the area. Furthermore, it will be conditioned that they are dark green in colour to ensure they blend in as far as possible with the surrounding area.

6.4.3 The polytunnels will be slightly more prominent in the area due to their greater footprint and siting away from the boundaries of the site. However, polytunnels are commonly used on agricultural sites in countryside locations, and therefore it is considered that they are not harmful to the character of the surrounding area.

6.4.4 Overall it is considered that an acceptable standard of design has been achieved.

## **6.5 Access**

6.5.1 The application site will be accessed via the existing access point to Greasley Castle Farm from Church Lane. The applicant states that parking is available within the farmyard area, with some disabled parking required within the application site. There is vehicular access to the field, and there are no proposals to alter the surface of the ground to allow for disabled parking, and therefore no long-term impacts of this. It is considered that the provision of parking space is acceptable and that the existing access to Church Lane is acceptable for the proposed use.

6.5.2 Whilst the Conservation Officer makes reference to semi-permanent land surfacing material for onsite parking, the onsite parking will be limited to that required for disabled access, which will not likely be an extensive amount of parking. It is therefore considered that further landscaping to enable parking on the site will not be necessary, and therefore it will not result in a permanent change in the appearance of the land.

## **7 Planning Balance**

7.1 The proposed development is put forward by a registered charity to provide a space for outdoor activities to support children with disabilities and their families. Whilst the application site is within the Green Belt, the development proposed consists of relatively small scale buildings of a temporary nature, allowing the land to be returned to its current state in the future if required without any long terms impacts. The buildings are designed and sited to blend in with the surrounding landscape, and whilst the proposal is not an exception to inappropriate development as set out by the NPPF, the nature of the activities have strong similarities to activities that are exceptions such as agriculture and recreational uses.

7.2 On balance, it is considered that the benefits of the proposal outweigh any potential harm caused.

## **8 Conclusion**

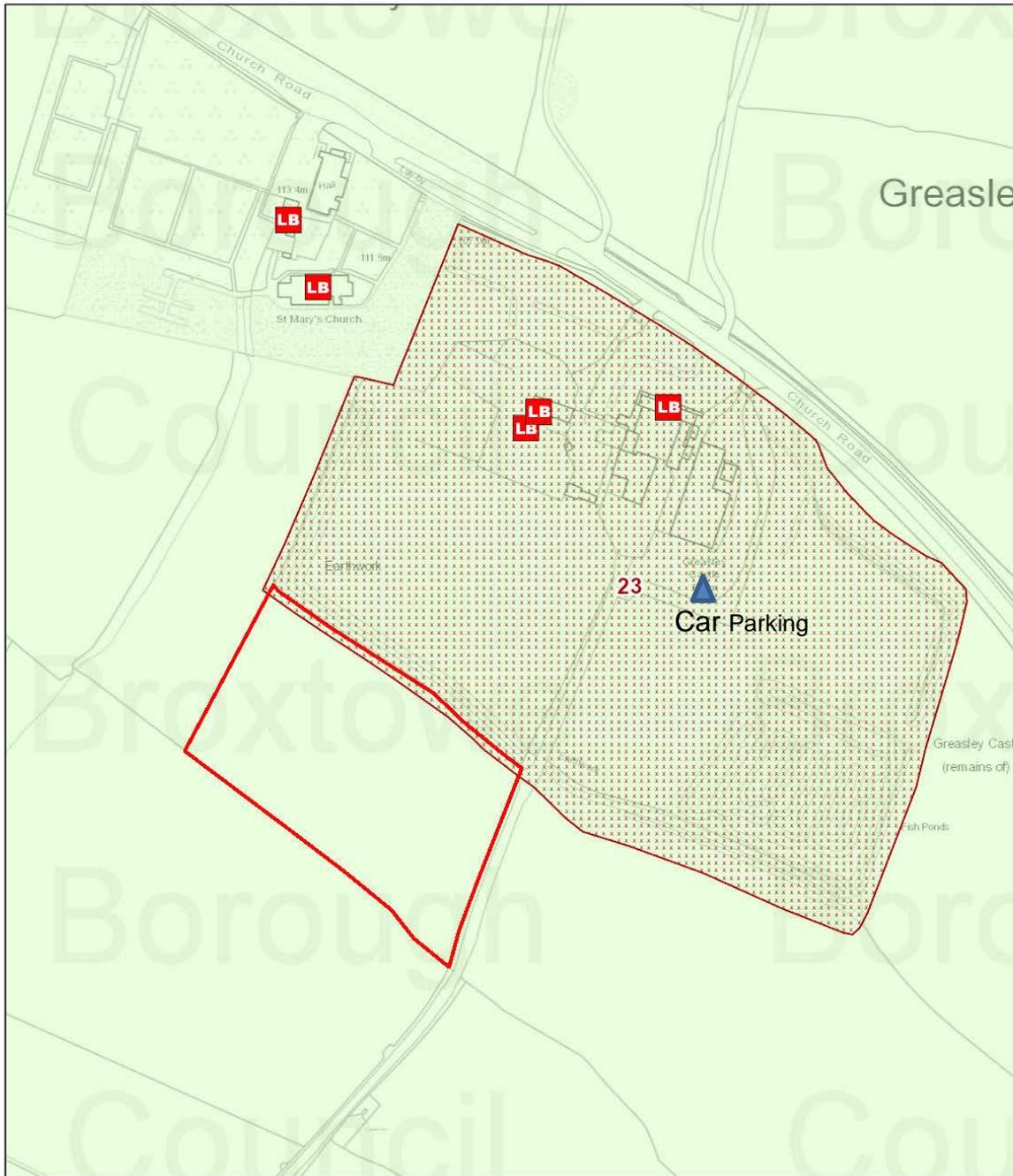
8.1 To conclude, it is considered that very special circumstances have been demonstrated, with the benefits of the proposal outweighing any potential harm to

the Green Belt. The design and appearance of the proposal is considered acceptable and it is considered that it will not have any unacceptable harm on the nearby heritage assets. It is also considered that the proposal will not result in an unacceptable impact on highway safety. It is therefore considered that the scheme is acceptable and planning permission should be granted.

<b><u>Recommendation</u></b>	
<b>The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.</b>	
1.	<p>The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission.</p> <p><i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the Site Location Plan (1:2500), Block Plan (1:500), Floor Plans and Elevations (1:100); received by the Local Planning Authority on 28 August and 1 October 2020.</p> <p><i>Reason: For the avoidance of doubt.</i></p>
3.	<p>The permission for the change of use of the land and siting of buildings hereby approved shall be for a limited period of 5 years, expiring on the 10 December 2025 when the buildings permitted shall be removed and the land reinstated to its former state to the satisfaction of the Local Planning Authority unless prior permission has first been obtained in writing from the Local Planning Authority.</p> <p><i>Reason: The buildings by virtue of their construction and appearance are not suitable for permanent retention and in accordance with Broxtowe Part 2 Local Plan (2019) Policy 17.</i></p>
4.	<p>The portacabin and storage containers hereby approved shall be dark green in colour, and retained as such for the lifetime of the development.</p> <p><i>Reason: To ensure the development is in keeping with the character of the surrounding area and in accordance with Broxtowe Part 2 Local Plan (2019) Policy 17.</i></p>
	<b>NOTES TO APPLICANT</b>

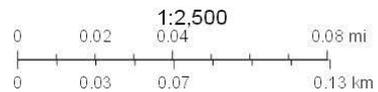
1.	<p>The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.</p>
2.	<p>The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at:  <a href="http://www.gov.uk/government/organisations/the-coal-authority">www.gov.uk/government/organisations/the-coal-authority</a></p>
3.	<p>Burning of commercial waste is a prosecutable offence. It also causes unnecessary nuisance to those in the locality. All waste should be removed by an appropriately licensed carrier.</p>
4.	<p>The applicant is to ensure that suitable washing and toilet facilities appropriate for the needs of the proposed site users are provided on site.</p>

20/00585/FUL - Land at Greasley Castle Farm



11/6/2020, 3:11:03 PM

-  Listed Building
-  INTERNAL: PCO Applications
-  Green Belt
-  Scheduled Monuments



Photographs



East boundary of site (looking south).



North boundary of site (looking north).



Application site (looking west).



Access to application site (looking west).

**Plans (not to scale)**

