

# Agenda Item 7

PLANNING AND  
HIGHWAYS COMMITTEE

17<sup>th</sup> September 2024

## SUPPLEMENTARY INFORMATION

### APPLICATIONS UNDER VARIOUS ACTS / REGULATIONS – SUPPLEMENTARY INFORMATION

#### 1. Application Number: 23/02828/FUL

**Address:** Land at Shorts Lane

#### **Additional Representations**

Since the writing of the Committee Report several additional representations have been received, including from 3 new parties (1 neutral, 2 objectors) bringing the total to 102 objectors, 98 supporters and 2 neutrals. One of the further objections is from a planning consultant employed by the occupant of the adjacent dwelling (Far Nova) which is 9 pages in length. A summary of the key points raised in the additional letters of objection and the neutral representation is set out below:

#### **Neutral**

- Professional dog walkers do not always behave professionally and having access to an enclosed space to exercise dogs would be a good thing.
- However the site is too close to Blacka Moor, the access is narrow and there are inadequate provisions for dealing with dog waste.
- If the application is refused Sheffield Council should assist the applicant in finding an alternative location for this type of facility.

#### **Objections**

- The development would be of no benefit to the local community and would moreover be harmful in respect of noise, light pollution, traffic, reduction in property value, harm to the countryside and wildlife
  - [Note: There is no planning policy requirement for the applicant to demonstrate local community benefit, other matters are covered in relevant sections of the Committee Report].
- The noise from the dogs could harm the use of the adjacent stables (at Far Nova)
  - [Note: see pages 35 and 36 of the Committee Report].
- Shorts Lane is not a suitable form of access for regular business use.
  - [Note: see further comments on this matter below]
- The proposed fencing is industrial in height and the development would set a precedent for creeping urbanisation in the area.
  - [Note: see pages 32 to 35 of the Committee Report].

- There is a conflict between the site plan and the woodland planting plan in terms of the red line boundary.
  - [Note: see further comments on this matter below]
- The proposed Management Plan would be unenforceable and down to local residents to police.
  - [Note: see further comments on this matter below]
- Too much reliance is placed upon the Management Plan and there is a risk that the Management Plan will not be operated properly.
  - [Note: see further comments on this matter below]
- There is a risk of sustained barking from the site and any barking will disturb local residents.
  - [Note: see pages 35 and 36 of the Committee Report].
- The valley location will amplify the sound of barking and the low ambient noise levels will increase the harm from this sound.
  - [Note: see pages 35 and 36 of the Committee Report. Actual noise readings were taken by the acoustic consultant during the trial day so any topographical amplification effect would be accounted for.].
- The access limitations of the site have been ignored. The road has a single track with no passing bays or turning area and is already heavily used by the owners of Far Nova. The development will unacceptably intensify traffic on a substandard road in respect of the 3 vans utilised by the business, and any additional helpers or volunteers employed at the site, and this could increase in the future if the business expands.
  - [Note: see further comments on this matter below]
- The Design Code is unenforceable and will place a burden on local residents to police.
  - [Note: see further comments on this matter below]
- The proposal would intensify the use of the site in respect of additional traffic, parking, dogs barking and human voices eroding the tranquillity of the location and the character and appearance of the landscape.
  - [Note: see pages 32 to 35 of the Committee Report].
- The applicant has canvassed support from clients who are not local residents.
  - [Note: This does not affect the objective planning assessment as set out in the Committee Report]
- The potential biodiversity net gain and visual screening is dependent upon the proposed hedge planting reaching maturity.
  - [Note: This is inevitably the case but a replanting requirement in the event of failures is proposed]
- The development would harm wildlife and habitats including stags which have been photographed on the site.
  - [Note: see pages 36 to 38 of the Committee Report. Deer are not an endangered species (although they have some degree of protection, for example from unlawful poaching, under the Deer Act 1991)

irrespectively there is no evidence that the proposal would remove a substantial part of their habitat].

- There are insufficient details of dog waste disposal.
  - [Note: see further comments on this matter below]
- The planning assessment is generally based upon an assumption that the dog day care business will operate perfectly and adhere strictly to their management plan, which is unlikely to be the case in reality.
  - [Note: see further comments on this matter below]

In addition to these letters of representation a video clip has been submitted showing 5 dogs at the site with a camera person approaching the fence and the dogs responding by barking. The date of the video and the circumstances under which it was taken are unclear.

In addition, the objector residing in the adjacent dwelling has provided a link to a google maps 'My Maps' page which identifies the location of all objectors and supporters. The map illustrates that the majority of objectors live closer to the site than the supporters. The majority of supporters reside in the residential suburbs to the west of Sheffield City Centre, whereas objectors are mainly clustered on the west side of Dore and Totley. However, it should be noted that a number of supporters do reside within the wider S17 Postcode Area.

### **Officer Response**

Many of the points raised above are already dealt with in the Committee Report and relevant page numbers have been signposted in square brackets.

In addition the following further commentary is provided to assist Committee members:

**Access:** This is covered in the Committee Report at page 38. Essentially Officers' accept that Shorts Lane is sub-standard in terms of width, geometry, lack of turning facilities and lack of footway; however this is typical of a countryside lane and traffic generally adapts to the driving conditions and the character of the road in terms of speed and driver behaviour. Officers' would advise that there is no reasonable basis to conclude that the level of traffic which would be generated by the scale of dog day care business proposed would intensify traffic levels on Shorts Lane to the extent that significant harm was caused in terms of road safety or any adverse traffic impacts.

**Assumptions/ Reasonableness:** Objectors state that the planning assessment assumes perfect operation of the dog day care facility. This is not the case. Officers' consider that reasonable and realistic judgements have been made on the basis of the balance of evidence available. For example the noise consultant's observation of dog behaviour during the trial period, the information contained with the Management Plan and a general understanding of the nature of the proposed use (professionally supervised dog exercise and recreation) and the scale of the use. Officers remain of the view that, although the use will inevitably lead to some additional barking noise in the locality, the balance of evidence suggests that the proposed use is unlikely to lead to sustained and intrusive barking to the extent that

significant harm to the area's tranquil character or the amenities of nearby residents would be caused.

Management Plan and Design Code Enforceability: Officers do not agree that the Management Plan or Design Code would be unenforceable. Both are relatively simple documents. The Management Plan describes how the use will operate in terms of door to door service, supervision ratios on site, etc and any significant breach of this plan (for instance if the applicant started operating the field as a bookable facility where customers visit the site) would be detectable and enforceable in Officers' view.

The Design Code describes in simple terms the type of enrichment apparatus which will be utilised (comprising hay bales wooden structures and tractor tyres) and it would again be easy to detect if different objects were being utilised and, if this did occur, appropriate enforcement action could be taken.

Red Line Conflict: Although it is acknowledged that there is a different red line on the Woodland Planting Plan to that shown on the Site Plan, this drawing is not listed under condition 2 as an 'approved plan'. As explained on Page 25 of the report essentially the hedge and woodland planting shown on the Site Plan would be secured against the planning permission but the additional suggested planting on the land to the south would not be and would be at the applicant's discretion. The delivery of this further planting on the land to the south is not considered necessary to make the application acceptable in planning terms as a biodiversity net gain is achieved irrespectively.

Dog waste: The applicant has confirmed that dog waste will be collected, stored on site in bins and removed by a private waste management company on a weekly basis.

**2. Application Number: 24/02019/FUL**

**Address: Land And Buildings Between 119 And 127  
Bevercotes Road  
Sheffield  
S5 6HB**

**Additional Representations**

6 additional representations have been received in support of the proposal since the initial Committee report was published. No specific reasons are cited within those representations.

This increases the number of individual representations received in support of the proposal to 34. The initial Committee report also explains that a petition has been received in support of the proposal containing 147 signatures.

In the interests of balance, the Committee report also explains that 4 individual objections have been received to the proposal and a petition against containing 48 signatures.

## **Officer Response**

It is considered that the published Committee report already includes a comprehensive summary of the representations received in support for and against the proposal from local residents and the reasoning. Other than reporting the increase in the number of representations that have been received in support of the proposals to Members it is considered that the late representations have not introduced any new material planning considerations that would have an effect on the original assessment of the proposal that was carried out by Officers, which is set out in the published Committee report and recommendation.

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