
2024/0533 & 2024/0836

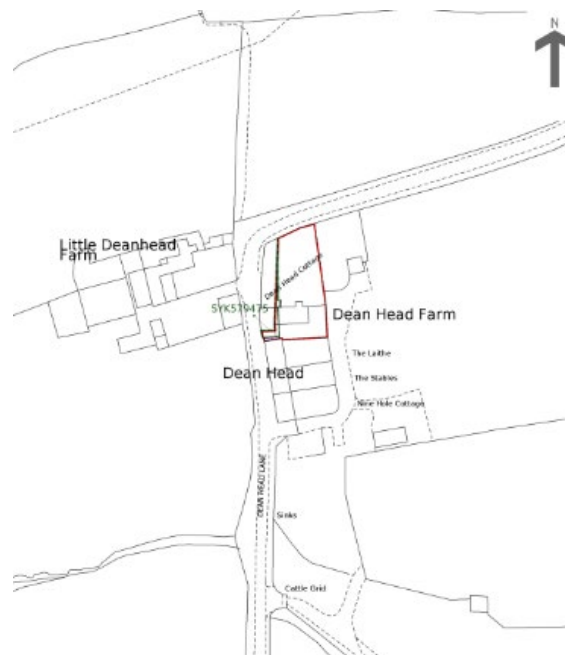
Mr Robert Watkins

Dean Head Farm, Dean Head Lane, Hunshelf, Sheffield, S36 8YR

Installation of 4no. security cameras, and floodlights to dwelling. (Retrospective) (Planning Application & Listed Building Consent) (Amended Description).

Site Description

The application relates to a plot located on the east side of Dean Head Lane close to a bend in the road. The application property is a grade II-listed building that was first listed in 1982. The building has an early core (cross wing) being medieval in date but includes later post medieval and C19/ C20 additions and alterations. The whole of the asset is included within an 'L' shaped range incorporating the central early core, a later eastern extension and the roadside cross wing encompassing both Dean Head Farmhouse and Cottage. The building has been altered and modernised in the later C20 within applications B/93/1308/PR/LB, B/02/0987/PR/LB and B/02/0943/PR. Despite the alterations and modernisation, the building retains clear special architectural and historic interest with earlier fabric, phases of development, and features in evidence throughout.



Planning History

There is several planning applications associated with this site. The most recent application is:

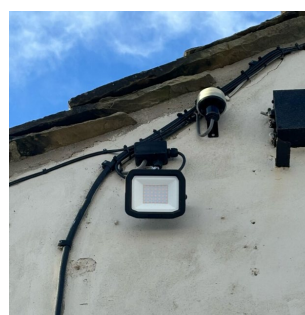
1. 2024/0365 – Replace all the windows at the property from the current timber, stained / painted frames to those of high-grade metal frames (aluminium) Replace the main entrance front door to the Kitchen that is currently timber, stained / painted frame with that of a solid, secure and energy efficient Composite Stable Door in a wood grain light oak colour finish. Replace the current Living Room entrance door with that of an aluminium framed window, same as all the rest of the windows, to allow more light into a currently very dark room. Rake out the existing Portland cement pointing to the North and South elevations of the property and re-point with a Lime mortar. Add new solid fuel fires to both the Kitchen and Living room inglenook / fireplaces including metal flue and flue terminal. (Listed Building Consent). – Approved.

Proposed Development

Following the submission of an application for listed building consent (2024/0533) in June 2024, it was determined that the retrospective development did not comply with the provisions of Class F, Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, in that development is not permitted by Class F if the building on which the camera would be installed, altered or replaced is a listed building or a scheduled monument, and therefore planning permission was also required. Subsequently, a householder planning application was submitted in September 2024.

During the application process, the description for both 2024/0533 and 2024/0836 was amended to include the retrospective installation of floodlights.

The applicant is seeking permission and listed building consent for the retrospective installation of 4no. security cameras, and floodlights to the application property. The security cameras are dark grey in colour and have been installed close to the eaves of the existing roof on the north, east and south elevations of the application property, and the floodlights are black in colour and have been installed close to the eaves of the existing roof on the north and east elevations of the application property. The cameras and floodlights have been fixed directly to the stonework.



Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies which are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means, no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027, or earlier, if circumstances require it.

Local Plan Allocation – Green Belt

The site is allocated as Green Belt in the adopted Local Plan, and the application property is a grade II-listed building. The following policies are therefore relevant:

- ***Policy SD1: Presumption in favour of Sustainable Development.***
- ***Policy HE1: The Historic Environment.***
- ***Policy HE3: Developments affecting Historic Buildings.***
- ***Policy D1: High quality design and place making.***
- ***Policy GD1: General Development.***
- ***Policy POLL1: Pollution Control and Protection.***
- ***Policy T4: New Development and Transport Safety.***
- ***Policy GB1: Protection of Green Belt.***
- ***Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt.***

Supplementary Planning Document(s)

- ***House Extensions and Other Domestic Alterations.***
- ***Heritage impact statements.***

National Planning Policy Framework

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant policies include:

- ***Section 12: Achieving well-designed and beautiful places.***
- ***Section 13: Protecting Green Belt land.***
- ***Section 16: Conserving and enhancing the historic environment.***

Planning (Listed Buildings and Conservation Areas) Act 1990

- ***Section 16: Decision on application.***
- ***Section 66: General duty as respects listed buildings in exercise of planning functions.***

Consultations

Conservation Officer	No objections.
Hunshelf Parish Council	The Parish Council has no observations to make with respect to the above planning application.
Local Ward Councillors	No responses.

Representations

Regarding application 2024/0533, neighbour notification letters were sent to surrounding properties. The application was also advertised by a site notice and a press notice which expired 26th July 2024 and 02nd August 2024 respectively.

Regarding application 2024/0836, neighbour notification letters were sent to surrounding properties. The application was also advertised by a site notice and a press notice which expired 8th November 2024 and 15th November 2024 respectively.

One objection was received from one address in relation to both applications. The following concerns which are material planning considerations were raised:

- The cameras installed flash/blink with red and blue lights anytime that motion is detected, night or day. There are a total of six cameras on the property (four on Dean Head Farm, and two on the garage) so this amounts to a lot of flashing.
- The blinking lights seem to be completely out of keeping with a peaceful hamlet of old buildings.
- We believe the cameras to be a nuisance and a source of light pollution.
- One of the cameras set on the back of the garage sometimes blinks into Sharp Royd Nook when driving or walking past. Together with the very harsh floodlighting mounted by the applicants on the North facing side of their property, and intermittent vegetation the effect is blinding, confusing, and overwhelming for drivers at night, particularly when driving towards the blind bend where Sharp Royd Nook becomes Dean Head Lane. We would say this is a road safety hazard.
- The camera set near the south-eastern corner of Dean Head Farm faces our three easterly facing windows (living room, kitchen, and our bathroom that is being refurbished as a snug). The flashing occurs every time movement happens in the kitchen and garden of Dean Head Farm - countless times every day since it picks up all the comings and goings.
- Given all of the above, we would ask that all cameras causing light pollution, hazard, and potentially recording audio or visual imagery of us in our private spaces are removed.
- We also want to make comment about the heritage statement provided by the applicant. The security cameras are not subtle. For us their blinking function is the exact opposite of subtle. They have a very detrimental impact on our enjoyment of our home. They are at odds with the heritage of the hamlet, and it is difficult to see how they 'prolong its stance'. They bear no resemblance to any other security features within the hamlet of Dean Head Farm.

The following concerns which are not material planning considerations were raised:

- The flashing motion detection feature of the cameras is annoying and unnecessary.
- We have reasons to believe that this camera is being activated excessively on purpose.
- This camera also blinks when there is movement in the Laithe garden next door. We find all of this very distracting and annoying.
- As immediate neighbours of the applicants we are arguably the most affected and yet we received no notification about the cameras.
- The behaviour of the applicants.

- Lack of communication from the applicants.
- We believe the flashing CCTV cameras to be the latest device employed to ruin our view and deter us from looking out of our own windows.
- We have two contacts (one of them a close friend) who have epilepsy. If they were to visit our home, we would face the bizarre situation of having to manage their exposure to the flashing lights in order to prevent fits. This is completely unacceptable to us.

While all concerns raised are acknowledged, only those which are material planning considerations can be taken into account.

Assessment

Principle of Development

Section 8(3) of the LBCA Act 1990 enables an application for listed building consent to be made after work to a listed building has taken place. However, work is only authorised from the actual date the consent is given, so anyone carrying out the demolition of a listed building or altering or extending in a way which would affect its character prior to this can still be prosecuted.

Security cameras that are installed to a listed building are considered acceptable in principle if they would adopt a proportionate size and would not be detrimental to the amenity afforded to adjacent properties, including visual amenity and highway safety, and would respect, conserve and enhance the significance and setting of the borough's heritage assets and should not significantly alter or detract from the character of the street scene. In addition, development should not have a harmful impact on the appearance or character and should preserve the openness of the Green Belt.

In accordance with Local Plan Policy GB2, the retrospective security cameras do not contribute to the total cumulative additions to the original building. A separate Green Belt assessment is therefore not required in this instance.

Residential Amenity

During the application process, concerns were raised regarding impacts to residential amenity, such as disturbance from flashing lights and loss of privacy.

In this instance, it is stated by the applicant that the cameras and floodlights were installed following a security incident and following the advice of the Police to upgrade existing security measures and implement additional measures such as the installation of lighting and security cameras.

The security cameras have been installed close to the eaves of the existing roof on the north, east and south elevations of the application property. The floodlights have been installed close to the eaves of the existing roof on the north and east elevations.

The Government has an online webpage for guidance on the use of domestic CCTV. This webpage, alongside information on the Information Commissioner's Office (ICO) website, explains that images and audio captured by CCTV outside of the curtilage of the domestic property in which cameras are installed, including neighbours' homes or gardens, shared spaces, or public areas, will be subject to data protection laws. It is the responsibility of the property owner to ensure that their domestic CCTV system is operated in a responsible way that respects the privacy of others, including the installation and maintenance of the system, and the storage of recorded information. Good communication is encouraged between neighbours regarding the installation and the use of a domestic CCTV system. While it is acknowledged that concerns regarding loss of privacy have been raised, this falls outside of the scope of planning, and separate legal advice will need to be sought, or a complaint raised with the ICO, as the regulator and enforcer of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA), if necessary.

Regarding any potential disturbance from flashing lights because of a motion sensor domestic CCTV system, this again falls outside of the scope of planning, as manufacturer or user specific settings of cameras cannot be controlled by the local planning authority. A flashing light can have a variety of meanings depending on the make and model of the camera, and if there is a setting to prevent the flashing, the implementation of this would be at the discretion of the property owner.

The applicant has stated that the floodlights are photocell and only come into use once dark. The light from these floodlights is likely to be limited to the application curtilage, although some limited impacts may be experienced by neighbouring properties. However, any potential impacts are likely to be temporary and restricted to unsociable hours during the night.

It is acknowledged that the objector has stated that two cameras have been installed on a detached garage belonging to the applicant. However, the garage is not a listed building and therefore the installation of cameras on the building could be implemented as permitted development. There is no requirement for development considered to be permitted development to obtain planning permission. There is also no requirement for listed building consent for these cameras.

On balance, the anticipated benefits of the installation of the domestic CCTV system and floodlights, including improved security and visibility and a greater sense of safety following a security incident, is considered to outweigh any potential harm.

The retrospective development is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection and would be acceptable regarding residential amenity.

Design, Heritage and Visual Amenity

Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

The application property is a grade II-listed building that was first listed in 1982. The security cameras were installed approximately one year ago following a security incident at the application property. The Conservation Officer was consulted on this application and has stated that ideally, the security cameras would have been mounted via the joints to the stonework or via a separate board mounted into the joints to the which the security cameras were attached. In this instance, the security cameras and floodlights have been fixed directly to the stonework and therefore it is acknowledged that some minor harm to the stonework of the listed building is likely to have occurred. Nonetheless, the security cameras and floodlights have been mounted close to the eaves and are dark grey and black in colour which is what would have been requested. As such, the visual impact of the security cameras and floodlights is considered to be relatively minimal. In addition, it is considered that it would be pedantic in the extreme to request the installation of the security cameras and floodlights to be re-mounted into joints as this would only require further interventions into the wall and could cause more harm. Consequently, the Conservation Officer has raised no objections.

During the application process, a concern was raised in that the blinking lights of the cameras are not in keeping with the surrounding area. A flashing light can have a variety of meanings depending on the make and model. However, manufacturer or user specific settings of cameras cannot be controlled by the local planning authority, and if there is a setting to prevent this, the implementation of it would be at the discretion of the property owner.

In relation to the openness of the Green Belt, the cameras and floodlights have been installed within the existing residential curtilage of and are attached to the application property. The cameras and floodlights are also made of appropriate materials. It is therefore considered that the cameras do not harm the openness or visual amenity and character of the Green Belt.

The retrospective development is therefore considered to conserve or enhance the character and appearance of the grade II-listed building in accordance with Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The retrospective development is also considered to comply with Local Plan Policy HE1: The Historic Environment, Local Plan Policy HE3: Developments affecting Historic Buildings, Local Plan Policy GB1: Protection of Green Belt and Local Plan Policy D1: High Quality Design and Placemaking and is acceptable regarding visual amenity.

Highway Safety

During the application process, a concern was raised in relation to the blinking lights of the cameras, the floodlighting mounted on the north side of the property and intermittent vegetation that creates an effect that is blinding, confusing and overwhelming for drivers at night, particularly when driving towards the blind bend where Sharp Royd (End) Nook becomes Dean Head Lane.

It is acknowledged that the rural and open nature of the surrounding land, and the absence of other light sources like streetlighting, could exacerbate the appearance of the brightness of any blinking lights from the cameras and the illumination from the floodlights. However, the application property is positioned approximately 190 metres to the south-west of the bend in the road where Sharp Royd (End) Nook becomes Dean Head Lane and is set away from the adjacent highway. Moreover, the amount and density of boundary vegetation intensifies on the approach to Dean Head Farm from Sharp Royd (End) Nook. Considering this, and given that the development is small scale, it is not considered that the cameras are significantly prejudicial to highway safety, and in any case, any blinking lights from the cameras will fall outside of the scope of planning, as manufacturer or user specific settings of cameras cannot be controlled by the local planning authority.

The retrospective development is therefore considered to comply with Local Plan Policy T4: New Development and Transport Safety and is acceptable regarding highway safety.

Other Matters

Section 7 of the Planning (Listed Building and Conservation Areas) Act 1990 states that, subject to the following provisions of the Act, no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised. Section 9 of the Act states that if a person contravenes Section 7, he/she shall be guilty of an offence.

There is a legal requirement to obtain listed building consent for development that is likely to impact on the fabric, appearance or special interest of a listed building, and the justification and need can be a significant factor when considering a proposal, even if some minor harm is caused. Therefore, dialogue with the local planning authority, prior to the commencement, is strongly encouraged and provides an opportunity for open discussion in the interests of finding the best and most sustainable solutions.

**Recommendation -
Approve with Conditions**