
2021/1226

Mr S Lloyd

Conversion of existing outbuilding and infill extension to form 1 no residential dwelling

Hill House, Kingwell Road, Worsbrough, Barnsley. S70 4AG

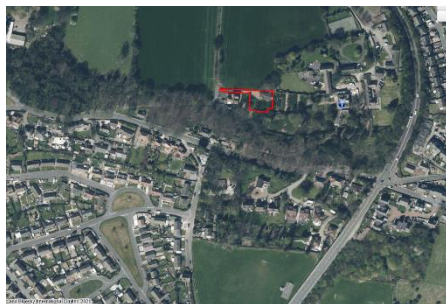
Site Description

Hill House is accessed from Kingwell Road, via a private access track serving the property. The dwelling benefits from extensive grounds with parking to the front and a detached outbuilding to the rear.

Whilst located in an elevated position the site is flat with a stone boundary wall located along the east boundary with the Grade II* listed Darley Cliff Hall beyond.

The application relates to a detached outbuilding located in the rear garden of Hill House. The outbuilding has a floor area of approx. 103m², consisting of 2 no. bedrooms plus separate living, kitchen and dining facilities, with an existing access driveway to the north of the site.

A public footpath runs north to south, to the west of Hill House, passing in front of the main dwelling.



Site History

B/95/0635/WB – Conversion and extension of existing outbuilding to form dwelling – Refused

B/99/1057/WB – Conversion of outbuildings to form detached single-storey dwelling – Refused

B/05/0963/WB – Conversion of existing outbuilding to form 1 dwelling –

Refused – dismissed at appeal

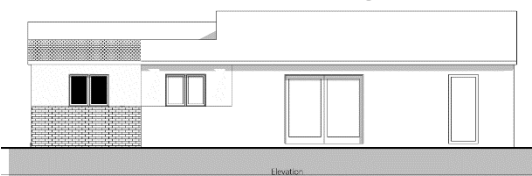
2017/1604 - Application for lawful development certificate for detached building used as residential annex – Refused as the applicant wasn't able to demonstrate that the building had been used as such for the preceding 10 years.

Proposed Development

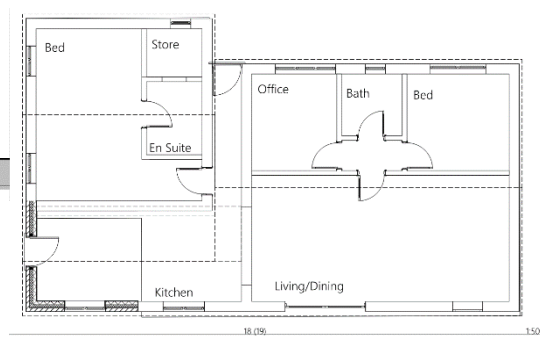
The applicant seeks permission for the conversion of the existing building to a 2 bedroom domestic dwelling, laid out over the ground floor, utilising the existing openings to the front of the building and limiting the inclusion of new openings.

Permission is also sought to infill the existing gap on the front elevation to extend the kitchen space, the extension is to measure 3m by 3.1m

The building has been used for living accommodation for some time, however in



2017 the applicant wasn't able to demonstrate that the building had been used as such for the preceding 10 years.



Policy Context

The new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Planning decision 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.

Local Plan

The site is allocated as Green Belt within the Local Plan Proposals Maps and therefore the following policies are relevant.

GB1 Protection of Green Belt

GB2 Replacement, Extension and Alteration of Existing Buildings in the Green Belt

GB3 Changes of Use in the Green Belt

HE1 Historic Environment

SD1 Presumption in Favour of Sustainable Development

GD1 General Development

Policy T4 New Development and Transport Safety

Policy D1 High Quality Design and Place Making

Policy BIO1 Biodiversity and Geodiversity

Poll1 Pollution Control and Protection

SPDs

Supplementary Planning Document – Design New Housing Development
Supplementary Planning Document – Residential Amenity and Siting of Buildings
Supplementary Planning Document – Parking
Supplementary Planning Document – Sustainable Travel
The South Yorkshire Residential Design Guide (SYRDG)

NPPF

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. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

Paragraphs 147 - 150 of the NPPF are relevant to this application:

Proposals affecting the Green Belt

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

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.

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, however there are exceptions to this, which amongst others include:

- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would
 - Not have a greater impact on the openness of the Green Belt than the existing development or
 - Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority

Previously developed land is defined within the NPPF as: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes land that is or was last occupied by agriculture or forestry buildings.

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 (amongst others);

- d) the re-use of buildings provided that the buildings are of a permanent and substantial construction

Paragraph 197 states that in determining applications, local planning authorities should take account of; the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater the weight should be).

Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.

Paragraph 206 states the local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Consultations

Conservation Officer – no objections
Tree Officer – No objections have been received.
Ward Councillors – no comments received

Representations

Neighbour notification letters were sent to surrounding properties and a site notice was posted adjacent to the site. No comments have been received.

Assessment

Principle of development

The site is located within the Green Belt where Local Plan Policy GB1 protects against inappropriate development in line with National Planning Policy. Whilst the erection of new buildings within the Green Belt are considered inappropriate development, Local Policy GB3 and the NPPF state that the conversion of buildings in the Green Belt are acceptable where the existing building is in keeping with its surroundings, the existing building is of a permanent and substantial construction and the new use is in keeping with the local character and the appearance of the building.

As stated previously there have been numerous applications on the site, with the most recent application for the conversion of the outbuilding to form a separate dwelling being refused and subsequently considered at appeal. Whilst the decision was ultimately dismissed the inspector did make some pertinent points. It was considered that the building would not have a material greater impact than the present use on the openness of the Green Belt, that the building would not adversely affect the amenity of local residents or the appearance of the locality and that the site curtilage is limited to an area reasonable to fulfill the functions of the proposed use.

Whilst no structural survey has been submitted, the building is of an age and appearance where its structural integrity is not questioned; and other than the erection of a small extension to infill the existing gap on the front elevation no other building works are proposed. Having had the benefit of a site visit, the building is clearly capable of being habitable with minimal external alterations.

Proposals to extend dwellings (Domestic outbuilding within the curtilage of the dwelling will be treated as part of the dwelling or an extension to it) are acceptable in principle provided that, the total size of the proposed and previous extensions does not exceed the size of the original dwelling and the original dwelling forms the dominant visual feature. In addition the construction of the extension should be of a high standard of design and reflect the architecture of the building.

Floor Area of existing building = 106.24m²
Proposed extension = 3.1m x 3m = 9.3m²

It is considered that the extension does not result in a disproportionate addition to the building and would not have a greater impact on the openness of the green belt than the existing development.

Visual amenity

The premises are located within Urban Barnsley on the periphery of urban fabric and the green belt, within an area which is characterised by large detached dwellings.

As mentioned previously the building is existing and has been for some time, with minimal alterations to the external appearance of the building. The proposed extension is modest in size and would be constructed to mirror the existing building in terms of design and construction materials and is considered not to have a greater impact on the openness of the green belt than the existing building.

As mentioned previously a footpath linking Sheffield Road and Kingwell Road runs to the west of Hill House. It is acknowledged that the conversion of the outbuilding to a separate dwelling could increase the amount of domestic paraphernalia within the garden area. However due to the existing boundary treatment and the location of the existing outbuilding along the northern boundary views into the site from the north would be limited and those from the south would be screened by a separate outbuilding and the extensive Woodland TPO which runs along the southern boundary. In addition conditions are proposed to remove permitted development rights for extensions, outbuildings and walls and fences to prevent future additions which would impact on the openness of the Green Belt. This limitation, coupled with the up to date wording on appropriate forms of development in the Green Belt within the NPPF and the Local Plan is considered sufficient to overcome the reasons for refusal associated with the previous applications and the appeal.

As noted previously the stone wall along the eastern boundary provides the boundary between the application property and the Grade II* listed building beyond. It is considered that this building and the site of Hill House contributes little to the setting of the Grade II* Darley Cliff Hall some 80m to the east.

The gardens and historic walls to the west of Darley Cliff Hall do contribute to its setting and some interesting features that are clearly historic, including the small turret adjacent to this outbuilding are of note. However the change to the setting of Darley Cliff Hall caused by the development of Hill House and the outbuilding clearly occurred some time ago and the proposed extension is small scale and minor and would not cause harm to the setting either.

This proposal seeks permission to convert the outbuilding to a dwelling and erect a small infill extension. Overall, the site of Hill House is well screened from Darley Cliff Hall and the proposed changes would be invisible in heritage terms (setting) and as such the proposed extensions and alterations are acceptable and in compliance with Local Plan Policy HE1, D1 and GD1

Residential Amenity

The building subject to this application is an existing building and has been in situ since at least 2002 which is evidenced by aerial photography and therefore the building is exempt from enforcement action.

The building is located within the extensive rear gardens of Hill House and is located such that its inclusion as a separate dwelling would not impact the amenity of the existing residents to a detrimental level.

Adequate separation distances are maintained between the existing dwelling and the boundary with the proposed dwelling and between habitable room windows on the existing and proposed dwellings, adequately sized gardens are proposed for both dwellings.

The internal layout has been designed to ensure adequate levels of internal space have been provided and the rooms meet or exceed the requirements of the South Yorkshire Residential Design Guide. In addition, an appropriate amount of external amenity space has been provided.

As such the proposed complies with the external amenity spacing standards as set out in the Design of Housing Development SPD and is in accordance with Local Plan Policy D1.

Highway Safety

The access is already established and is in a reasonable condition. It would only serve the existing and proposed dwelling and as such would not be required to be built up to adoptable standard. The use as a single dwelling is not therefore considered to intensify the use of the access significantly over and above its existing use.

The scheme provides parking area to the front of the property to satisfy the requirements of the SPD for a dwelling of this size.

Trees

No tree works are proposed within the application. The extension is to be located on an area which is currently hard surfaced and there are no significant trees within the site which could be impacted by the development and as such is considered acceptable. The off site trees are protected by a Tree Preservation Order.

Other Issues

SPD Sustainable Travel requires that new developments provide electric vehicle charging points (EVCP) within the scheme and as a minimum, residential schemes should provide 1 charging point per unit. No details have been provided in relation to EVCPs however a condition can be included requiring the information to be submitted prior to the occupation of the dwelling.

Recommendation

Approve - Subject to Conditions