
2022/1295

Applicant: Mr A Platt

Description: Erection of detached outbuilding (garden room)

Address: Weaver's Bank, 9 Tenter Hill, Thurlstone, Sheffield, S36 9RG

Site Location and Description

The dwelling is an end terrace, stone-built house situated in an elevated location off the A629 Manchester Road in Thurlstone. The dwelling is an historically listed building. The dwelling has a previously been extended to the rear in the 1990's and has one small existing outbuilding. The Garden was extended using agricultural (Green Belt) land in 1983. Planning permission is required for the proposed development due to being located with the curtilage of a listed building.

The dwelling is located within the Thurlstone conservation area to the rear of the dwelling's curtilage is Green Belt

Planning History:

B/98/0326/PU & B/90/0327/PU/LB Erection of single-storey extension at upper ground floor level and Listed Building consent.

B/90/0146/PU & B/90/0147/PR/LB: Erection of extension to dwelling and Listed Building Consent.

B/83/1261/PU: Use of agricultural land as extension to domestic curtilages [5,7,9 Tenter Hill].

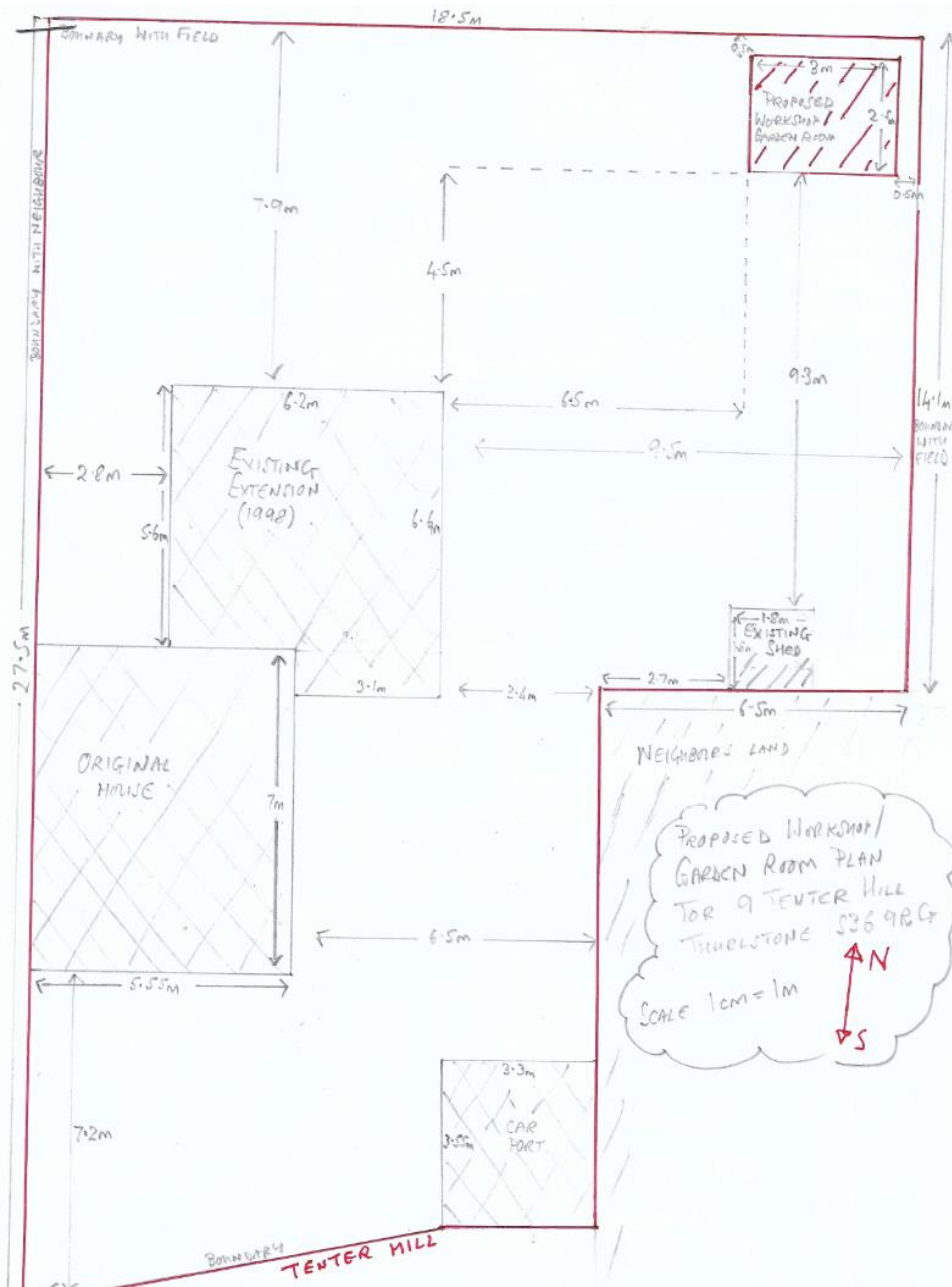
Pre-Application advice

Pre-application advice was given in December 2022, and it was determined that a planning application would be required due to the proposed site being within the curtilage of a listed building and within a conservation area. It was not discovered at the time that the part of the curtilage was additionally located within the Green Belt.

Proposed Development

The proposed development is for a small outbuilding described as a garden room, to be located in the left corner of the rear garden. The proposed location is approximately 12 meters to the left and 10 meters to the rear of the original building and 6.5m to the left and 4.5m to the rear of the existing extension. There would be a 9.3m distance directly between the existing and proposed outbuildings.

The proposed garden room would measure 2.5m x 3m, with a sloped roof with a maximum height of 2.2m high. The proposed materials are proposed to be in keeping with the appearance of the exiting dwelling and predominantly feature wooden cladding with double glazed timber doors and windows.



Supplied Site Plan

Measurements: Rear projection: 2.5m w x 3m L Maximum Height: 2.2m

Policy Context

Planning decisions 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. The Local Plan was adopted in January 2019 and is also 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 and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting on 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.

Penistone Neighbourhood Development Plan

Local Plan Policies

GD1 - General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

GB2 - Replacement, extension and alteration of existing buildings in the Green Belt.

Provided it will not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt, we will allow the following development in the Green Belt:

Replacement buildings where the new building is in the same use and is not materially larger than that which it replaces.

Extension or alteration of a building where the total size of the proposed and previous extensions does not exceed the size of the original building.

Dividing an existing house to form smaller units of accommodation.

All such development will be expected to:

Be of a high standard of design and respect the character of the existing building and its surroundings, in its footprint, scale and massing, elevation design and materials; and

Have no adverse effect on the amenity of local residents, the visual amenity of the area, or highway safety.

D1 - High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

HE1 - The Historic Environment: Positively encourage developments which will help in the management, conservation, understanding and enjoyment of Barnsley's historic environment, especially for those assets which are at risk.

HE3 - Policy HE3 Developments affecting Historic Buildings Proposals involving additions or alterations to listed buildings or buildings of evident historic significance such as locally listed buildings (or their setting) should seek to conserve and where appropriate enhance that building's significance.

Supplementary Planning Documents

House Extensions and other Domestic Alterations

NPPF

The National Planning Policy Framework set 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.

Paragraph 149:

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- 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;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and 44
- 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.

Consultations

Conservation Team – Recommend minor adjustments to the proposals in relation to materials. The applicant has agreed to these, and appropriate conditions would be added to the planning consent.

Parish Council – No response

Legal Team – Upon discovering Green Belt within the Curtilage of the dwelling, advice was sought in relation to the status of the whole curtilage of the dwelling.

Representations

Adjacent neighbours were notified by post. No comments were received.

A Site Notice was placed nearby to the dwelling & a notice was placed in the Barnsley Chronicle newspaper. No Comments were received.

Assessment

Principle of development

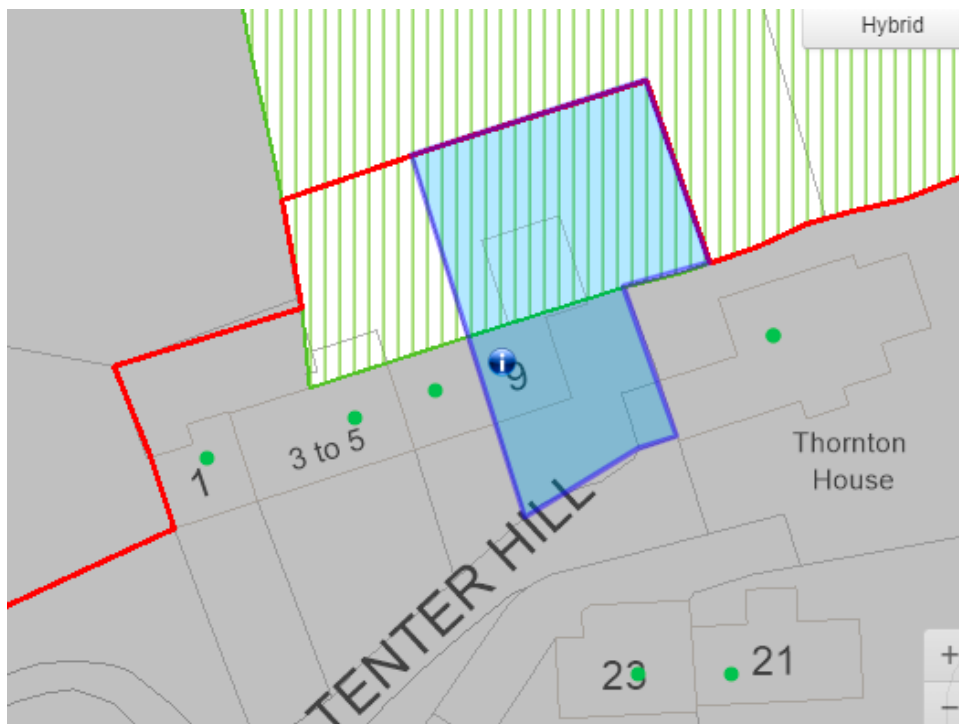
Development with the curtilage of a listed structure or which may have an impact upon the setting of such should be assessed against the relevant policies and the assessment provided by the

conservation team. On this occasion, excluding other considerations, the proposal would have been acceptable.

The site is also within the Green Belt and as such consideration would need to be given to whether it would be classed as appropriate development and its impact on the character and appearance of the Green Belt in line with relevant local and national policies. This is assessed below.

Green Belt

Whilst the original footprint of the dwelling, excluding the existing two-storey extension is located on land not within the Green Belt, the additional agricultural land transferred to extend the curtilage of the dwelling and neighboring dwellings in 1983 was not removed from the Green Belt, and remains classified as land within The Green Belt (see image below with green shaded area being the extent of the green belt):



If an extension was proposed, it would probably be rejected due to the size of the existing extension the footprint of which already represents 91% of the size of the original dwelling and policy GB2 does not allow the total size of all extensions to be beyond the original dwelling size. Currently the extension's footprint is 34.09 sqm or approximately 3.36 sqm smaller than the original dwelling. This allowance does not extend to outbuildings and any outbuildings are considered as inappropriate development within the Green Belt.

In addition to local policy, paragraph 149 of the NPPF stipulates that local authorities should consider all development of new buildings within the Green Belt as inappropriate unless being specified as an exclusion. Outbuildings such as sheds or garden rooms are not specified as an exception. Whilst there appears to be an existing outbuilding (shed) within the curtilage, aerial images confirm this has been in place since at least 2013 and would therefore be exempt from planning enforcement. There are no very special circumstances put forward that would outweigh the harm caused by inappropriateness and as such the proposal would be contrary to Policy GB1 and the NPPF.

Impact on Listed Building

The Conservation team has confirmed that with the proposed minor amendments, the proposed development would have only a negligible impact upon the listed building, its setting, or the wider public realm, which is a conservation area.

Conservation Area

As the dwelling and its curtilage fall within a conservation area, approval is required for most development usually allowed through permitted development rights. The Conservation team concluded that with minor recommended amendments, the application was acceptable

Summary

The size of the proposed outbuilding and materials choice would usually be allowed under permitted development. For this application, planning consent was initially requested because of the location within the curtilage of a listed building and a conservation area. If the listed building or conservation area had been the only concern, following recommendations from the conservation team, the application could have been approved with conditions. As it has transpired that part of the curtilage of the dwelling, including the proposed location for the garden room is located within the Green Belt, along with the existing extension. After discussion with the policy team and legal team, it has been concluded that the proposed development would be considered inappropriate development within the green belt and consequently not allowed.

Recommendation – Refuse.