2021/0853

Conversion and extension of disused building to form garage/granny flat

The Victoria, Sheffield Road, Crow Edge, Sheffield, HD9 7TS

Background

2012/0019 – Change of use of Public House to single dwelling – Approved with conditions – subject to the following plan which shows the curtilage of the dwelling.



2010/1048 – Demolition of public House and residential development of 3 dwellings – Approve with conditions

91/1579 – Change of use of barn to dwelling – Refused for the following reasons:-

1. The site of the proposed development lies within an area shown as Green Belt and an Area of County Landscape Value in the approved South Yorkshire Structure Plan within such areas it is the policy of the Local Planning authority not to permit development except in exceptional circumstances for purposes other than agriculture, forestry, recreation, cemeteries, institutions standing in large grounds and other uses appropriate to a rural area. In the opinion of the Local Planning Authority no exceptional circumstances exist that would justify the granting of planning permission in this case.

2. In the opinion of the Local Planning Authority the building does not meet the criteria set out in Planning Policy Guidance Note 2 relating to the conversion of redundant buildings in the Green Belt to dwellings, in that it is not substantial in size, nor attractive in appearance so as to justify conversion and therefore retention.

3. To provide an area of private open space for the proposed dwelling would necessitate extending development into open countryside, to the material detriment of the visual amenities of the area.

Description

The Victoria is a large dwelling which was a former public house and is set on the junction of Wood Royd Hill Lane, Sheffield Road and Bedding Edge Lane. The property is set within the Green Belt.

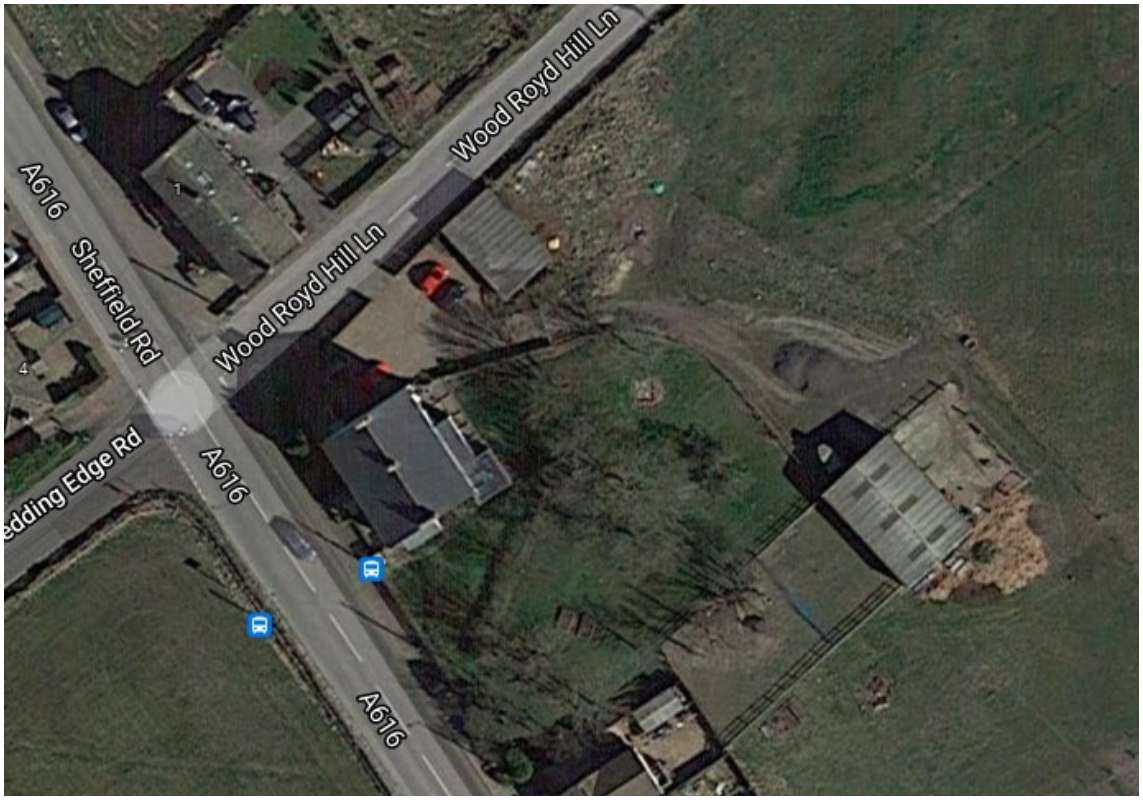
There is an existing flat steel roofed stone outbuilding to the north east boundary of the garden area. It is not clear what the building has been used for previously, but in the application above (91/1579 which was refused for its change of use into a dwelling) it is described as a barn. In addition, when looking at the above application for the conversion of the former public house into a dwelling it appears that the outbuilding is not part of the approved curtilage and is therefore not considered a domestic outbuilding.

The Kirklees Council boundary runs along the northern side of Wood Royd Hill Lane.



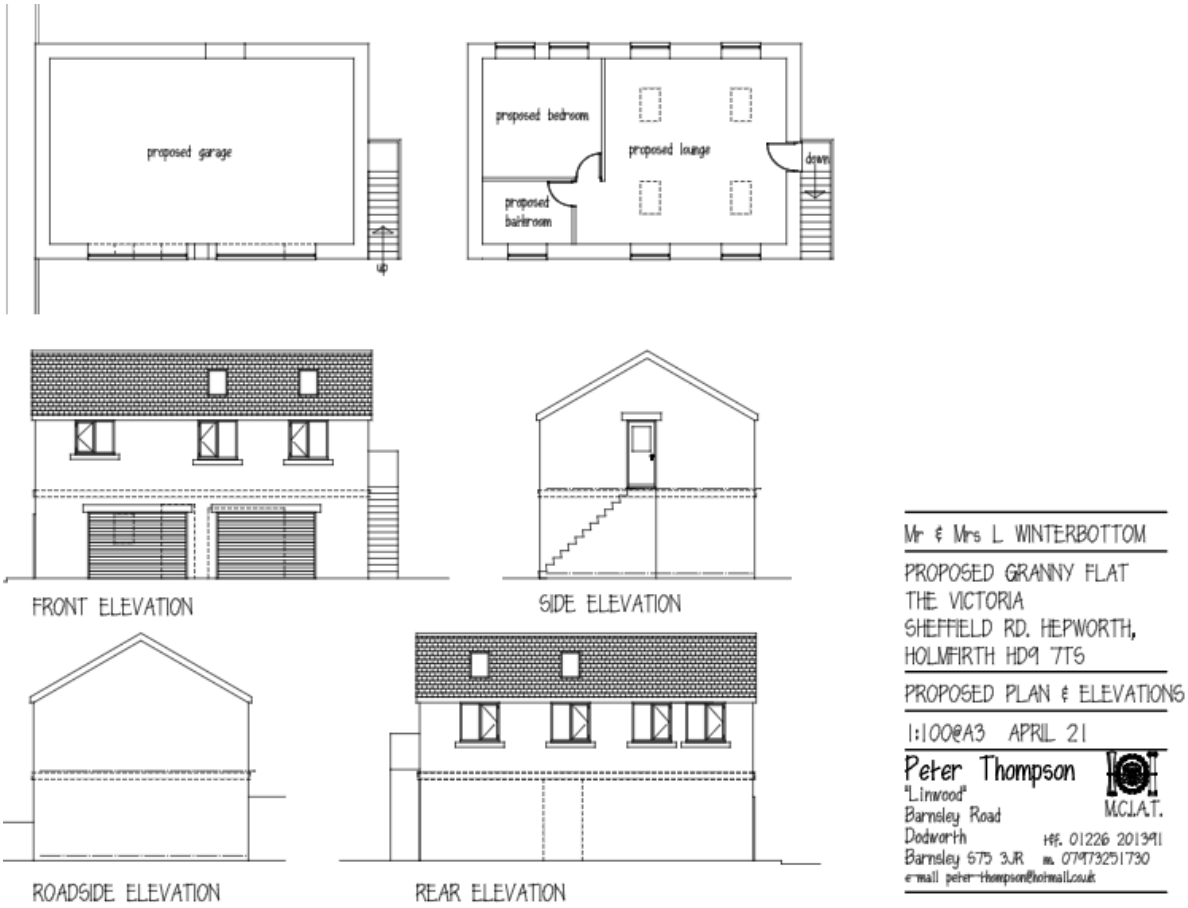

Wood Royd Hill





Proposed Development

The applicant is seeking approval for the change of use, conversion and extension of the outbuilding into a two storey annex to be used in connection with the dwelling known as The Victoria. The red-line boundary submitted with the application shows the outbuilding within the curtilage of the dwelling. The proposal would involve the construction of an additional storey with the rooms at first floor being used for a bedroom, bathroom and lounge. An external staircase is proposed. The ground floor would consist of garaging with two garage doors. A bat survey has been submitted with the application, however no structural survey has been submitted.





Policy Context

Planning decisions should be made in accordance with the local 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 Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

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 the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Local Plan

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). In reference to this application, the following policies are relevant:

The site is in the Green Belt as shown on the adopted Local Plan, where Local Plan Policy GB1 protects land from development in accordance with national green belt policy.

Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt

Policy GB3: Changes of use in the Green Belt

We will allow the change of use or conversion of buildings in the Green Belt provided that: The existing building is of a form, scale and design that is in keeping with its surroundings; The existing building is of a permanent and substantial construction and a structural survey demonstrates that the building does not need major or complete reconstruction for the proposed new use;

The proposed new use is in keeping with the local character and the appearance of the building; and

The loss of any building from agricultural use will not give rise to the need for a replacement agricultural building, except in cases where the existing building is no longer capable of agricultural use.

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;

- Have no adverse effect on the amenity of local residents, the visual amenity of the area, or
- highway safety; and
- Preserve the openness of the Green Belt.

In addition to the above, when a residential use is proposed, we will allow the change of use provided that:

- There are not strong economic reasons why such development would be inappropriate; and
- Residential use would be a more appropriate way of maintaining and improving the character and appearance of the building than any other use

The following policies are also of relevance:-

Policy D1 High quality design and place making

Policy BIO1 Biodiversity and Geodiversity

Policy T4 New Development and Transport Safety

Supplementary Planning Document: House Extensions and Other Domestic Alterations

The Supplementary Planning Document (SPD) sets out the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations and indicates that these developments:

1. be of a scale and design which harmonises with the existing building
2. not adversely affect the amenity of neighbouring properties
3. maintain the character of the street scene and
4. not interfere with highway safety.

In relation to garages and outbuildings, the SPD states:-

Detached garages should relate sympathetically to the main dwelling in style, proportions and external finishes. In most cases, it will not be appropriate for a garage to be sited between the house and the road.

Detached garages should be single storey structures and the eaves height should not normally exceed 2.5m from ground level. It is not considered appropriate for detached garages to include dormer windows as a way of accommodating rooms in the roof space but in some circumstances (e.g. where the garage is set within a large curtilage) it may be possible to utilise the roof space for ancillary accommodation/storage but not as an annex/granny annex. Where the privacy of neighbouring residents would not be compromised it may therefore be possible to install roof lights.

An annex building, often referred to as a ‘Granny Annex’ may be permitted in a rear garden where it would not occupy a disproportionate amount of the garden and would not have its own separate access or garden area. An annex should normally have a close physical relationship with the host dwelling, be single storey and in all circumstances it should only have 1 bedroom and no more than 3 rooms in total.

Other:
South Yorkshire Residential Design Guide

Consultations

Dunford Parish Council – No comments received
Kirklees Council – No comments received
Biodiversity Officer – No objections
Yorkshire Water – No comments/observations
Highways – No objections
Drainage – Details to be checked by Building Control
Pollution Control – No objections subject to conditions
Air Quality – An EVCP would be required

Representations

Neighbour notification letters were sent out to surrounding properties; no comments were received.

Assessment

Principle of development

The site is set within the Green Belt as allocated on the adopted Barnsley Local Plan where inappropriate development is, by definition, harmful and should not be allowed except in very special circumstances. The Victoria was formerly a Public House, however, is now occupied as a single dwelling having gained planning permission for a change of use in 2012. The site plan and permission however did not include the barn in question, and it is set outside of the approved curtilage of the dwelling, therefore the proposal would be subject to policy GB3. The previous application describes the outbuilding as a barn which would suggest a possible previous agricultural use, no evidence has been submitted to show that the building has been in any other use since this time. Given the previous application for the conversion of the public house into a dwelling was less than 10 years ago, then a certificate of lawful development cannot be applied for, for a domestic use of the barn.

Local Plan Policy GB3 allows for changes of use to existing buildings in the Green Belt, subject to the various criteria. The policy states that:

'We will allow the change of use or conversion of buildings in the Green Belt provided that: The existing building is of a form, scale and design that is in keeping with its surroundings; The existing building is of a permanent and substantial construction and a structural survey demonstrates that the building does not need major or complete reconstruction for the proposed new use.' In addition the proposed new use must be in keeping with the local character and the appearance of the building and

'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;
- Have no adverse effect on the amenity of local residents, the visual amenity of the area, or
- highway safety; and
- Preserve the openness of the Green Belt.

In addition to the above, when a residential use is proposed, we will allow the change of use provided that:

- There are not strong economic reasons why such development would be inappropriate; and
- Residential use would be a more appropriate way of maintaining and improving the character and appearance of the building than any other use.'

As the barn is situated outside of the residential curtilage then it cannot be considered as an ancillary outbuilding to the main dwelling. In terms of policy GB3, no justification has been submitted and no structural survey has been submitted with the application to demonstrate that the existing building is of a permanent and substantial construction and does not need major or complete reconstruction for the proposed new use. The bat survey submitted with the application indicates that the building has been previously used for livestock and the walls to the building have no cavity and are rubble filled but have gaps where the mortar is falling away, or the stonework is falling apart as the building deteriorates. The report also indicates that it is the intention to demolish the building, which would indicate that the building is not of a substantial construction and would need major and complete reconstruction for the proposal use. In addition, the proposal also involves an addition of a first floor which would significantly increase the size, height and mass of the building which would be harmful to the openness of the Green Belt contrary to policy GB3.

In addition to the above, the applicant wishes to use the outbuilding as an annex with garaging below.

The Supplementary Planning Document House Extensions and Other Domestic Alterations provides specific guidance for the erection of annex buildings and garages. Detached garages should be single storey structures and the eaves height should not normally exceed 2.5m from ground level. It is not considered appropriate for detached garages to include dormer windows as a way of accommodating rooms in the roof space but in some circumstances (e.g. where the garage is set within a large curtilage) it may be possible to utilise the roof space for ancillary accommodation/storage but not as an annex/granny annex.'

In addition the SPD states: 'An annex building, often referred to as a 'Granny Annex' may be permitted in a rear garden where it would not occupy a disproportionate amount of the garden and would not have its own separate access or garden area. An annex should normally have a close physical relationship with the host dwelling, be single storey and in all circumstances it should only have 1 bedroom and no more than 3 rooms in total.'

The existing building would fail to comply with the SPD on two grounds, the proposed annex would be situated above the garage, but would also be of a significant size and would not have a close relationship to the main dwelling, therefore could be potentially used as a separate residential unit. The building has an internal floor area of approximately 106sqm which is the size of an average family home. Internally, the ground floor provides garaging, whilst the first floor has a lounge, bedroom and bathroom. A kitchen could easily be installed so that the annex would not have any reliance on the main dwelling. Externally parking and a curtilage could be provided. To summarise, the building is not regarded as ancillary to the host property and would set a detrimental precedent on account of its size, and potential non-reliance upon the host property and is therefore considered unacceptable and contrary to the SPD.

In addition, as the barn is situated outside of the residential curtilage then it cannot be considered as an ancillary outbuilding to the main dwelling. No structural survey has been submitted with the application to demonstrate that the existing building is of a permanent and substantial construction and does not need major or complete reconstruction for the proposed new use. The proposal also involves an addition of a first floor which would significantly increase the size, height and mass of the building which would be harmful to the openness of the Green Belt contrary to Local Plan Policy GB3.

Impact upon Protected Species

A bat survey has been submitted with the application which indicates that there is no evidence to suggest that the building is being used by bats, therefore no further survey work is required. The Biodiversity Officer has raised no objections in compliance with policy BIO1 of the Local Plan.

Recommendation

Refuse for the following reasons