The Planning Inspectorate

Appeal Decision

Site visit made on 9 June 2017

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22nd June 2017

Appeal A Ref: APP/J4423/W/16/3164206
The Hole in the Wall, David Lane, Fulwood, Sheffield, S10 4PH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mr David Laver against Sheffield City Council.
- The application Ref 16/03062/FUL is dated 5 August 2016.
- The development proposed is the demolition of stables and extension to existing barn to form dwelling.

Appeal B Ref: APP/J4423/Y/16/3164211
The Hole in the Wall, David Lane, Fulwood, Sheffield, S10 4PH

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
- The appeal is made by Mr David Laver against Sheffield City Council.
- The application Ref 16/03048/LBC is dated 5 August 2016.
- The works proposed are the demolition of stables and extension to existing barn to form dwelling.

Decision

1. Both appeals are dismissed and planning permission and listed building consent are refused.

Procedural Matter

2. As the appeals are against the Council's failure to determine the applications within the prescribed period, I must determine the appeals as such. The Council has, however, issued a decision notice since the appeals were submitted and I have therefore taken that into account in my decision.

Main Issues

3. In appeal A, the main issues are:-

- a) whether the proposal is inappropriate development; b) the effect of the proposal on the openness of the Green Belt and its purposes; c) if the proposal is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

- the effect of the proposed development on the character and appearance of the area, including the Area of High Landscape Value;

In both appeals, a further main issue is:-

- the effect of the proposed development and works on the special architectural and historic interest and the setting of the listed buildings at The Hole in the Wall.

Reasons

Green Belt - inappropriate development?

4. The proposals relate to a traditional stone barn which forms part of the Hole in the Wall, a large former farmhouse and range of outbuildings. The building which is the subject of these appeals is attached to a range of outbuildings which run along the site frontage, creating a courtyard within the site. Attached to the west of the building, on the opposite side to the courtyard, is a modern, lean-to stable building.

5. It is proposed to convert part of the existing barn to create a two bedroom dwelling. The modern stable building would be demolished and a two storey extension would be added on that elevation. The remainder of the barn would be retained for garaging and storage purposes for the occupiers of The Hole in the Wall.

6. The site is identified in the Council's Unitary Development Plan (UDP) (1998) as within the Green Belt. Saved policies GE1 and GE3 of the UDP seek to protect the Green Belt. The National Planning Policy Framework (the Framework) advises that the re-use of buildings is not inappropriate in the Green Belt provided that the buildings are of permanent and substantial construction. In this case, the traditional building is of solid stone, slate and tile construction which appears to be in sound condition. Therefore the change of use of the existing barn to a dwelling would not be inappropriate.

7. The Framework also says that other than in the case of a number of specified exceptions, the construction of new buildings within the Green Belt is inappropriate. The exceptions include 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.

8. The Council says that the proposed extension would have a similar footprint, albeit slightly smaller, to that of the part of the barn proposed for conversion. Its two storey form would result in an increase in volume of 80% of the converted part of the barn. The appellant has not contested those figures but argues that it would not be disproportionate to the existing house. However, I consider that the Council's interpretation of the original 'building' as that part which would be converted to a dwelling is correct because section 33 of the Town and Country Planning Act 1990 states that a building includes 'any part of a building'. I consider, therefore, that the proposed extension in Appeal A would amount to a disproportionate addition over and above the size of the original building. Accordingly, it would be inappropriate development in the Green Belt. The Framework advises that inappropriate development is, by definition, harmful to the Green Belt and should not be permitted except in very special circumstances. I must attach substantial weight to this harm.

Openness of the Green Belt and its purposes

9. Paragraph 79 of the Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and advises that one of the essential characteristics of the Green Belt is its openness. This is a matter of its physical presence rather than its visual qualities. Paragraph 80 of the Framework sets out the five purposes of including land in the Green Belt. One of these is to assist in safeguarding the countryside from encroachment. By reason of its additional bulk and its siting on land which is currently free from development, the proposed extension would inevitably increase the built-up area of the appeal site. I conclude, therefore, that this would reduce the openness of the Green Belt to a small degree and would be detrimental to one of the purposes of including land in the Green Belt. The proposal in Appeal A would be contrary in this respect to UDP policies GE1 and GE3 and to the Framework.

Character and appearance of the area

10. UDP policies GE8 and GE9 seek to protect the character and appearance of the Area of High Landscape Value in which the appeal site is located. The Framework seeks to ensure that development reflects its surroundings. The barn is sited on rising land which overlooks the attractive Mayfield Valley, a rural landscape of sloping fields and woods set below the moorland landscape of the Peak District National Park. Built development in the valley comprises scattered stone dwellings which are mostly modestly sized, of a traditional, solid appearance with limited openings and glazing. These sit quietly within the landscape and make a positive contribution to it. By contrast, the proposed extension in Appeal A would be extensively glazed on its prominent south elevation which would be clearly seen from the public footpath and from Mayfield Road. Together with its disproportionate size, this would result in an unduly dominant addition which would harm the character and appearance of the wider area, including the Area of High Landscape Value, contrary to policies GE8 and GE9 and to the Framework.

Listed buildings

11. The barn is a grade II listed building which forms part of the group of listed barns and stables together with The Hole in the Wall Farmhouse. In considering proposals for planning permission, the duty imposed by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 132 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to its conservation. The paragraph goes on to say that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Paragraph 134 requires that where the harm is less than substantial, it should be weighed against the public benefits of the proposal.

12. UDP policies BE15 and BE19 also seek to protect and enhance the character and appearance of listed buildings and accord in this respect with the Framework.

13. Although the listed buildings are now in residential rather than agricultural use and the house has a very large rear garden, the surrounding agricultural landscape of fields and stone walls contributes to the setting of the Farmhouse and its barns. From what I saw at my visit, the historic interest of the building lies in its age and its former function as an agricultural barn. Its architectural significance derives from its substantial stone-built appearance with few openings and it provides a good example of a largely unaltered, traditional farm building.

14. The siting of the proposed extension would disrupt the longitudinal form of the existing building. Its size (including both its footprint and height) and scale would appear overly dominant in relation to the existing building and it would not be seen as a subordinate addition when seen in close proximity from David Lane outside the appeal site and from the public footpath across the adjoining field and in longer range views from Mayfield Road and from across the valley. Whilst new openings on the elevation to David Lane have been kept to a minimum, the extensive glazing on the south elevation would contrast with, and detract from, its solid, agricultural character. Furthermore, whilst the existing boundaries would be largely retained, the use of the land adjacent to the building as a garden for the new dwelling would introduce domestic features to the outside edge of the group of buildings which would alter the present agricultural character of the undeveloped yard.

15. For these reasons, it would cause harm to both the setting and the architectural and historic interest of the listed buildings, thereby harming their significance. This gives rise to a statutory presumption against permission. Although in this case the harm would be less than substantial, I must give it considerable importance and weight. I must now assess whether there are any public benefits arising from the proposals that would outweigh the identified harm as required in paragraph 134 of the Framework.

16. Whilst the demolition of the stables would improve the character and appearance of the building by removing a modern addition and three of the king post trusses would be revealed, these would represent only small benefits and I have insufficient compelling evidence that the proposal is necessary for the repair or continued use of the building.

17. The creation of an additional and adaptable dwelling would increase the supply and range of housing but given that only one dwelling is proposed, that benefit would also be limited.

18. Despite the energy efficient design proposed and the inclusion of measures for ecology, I am not persuaded that the design is truly innovative or exceptional and it would not therefore justify an exception to be made under paragraph 55 of the Framework.

19. I disagree that the Council's stance is unreasonable and conclude that the limited public benefits that would result from the proposals in both appeals do not outweigh the harm that would be caused to the listed buildings. The proposals would be contrary to UDP policies BE15 and BE19 and to the Framework.

Whether the harm is clearly outweighed by other considerations

20. I understand the appellant's wish to downsize. However, this does not amount to a very special consideration that would outweigh the harm caused, particularly as the Council has not objected to the principle of conversion of the building and on the basis of the plans and from what I saw during my visit it seems to be large enough to convert to a dwelling without the need for a large extension.

21. The replacement dwelling at The Clough referred to by the appellant was granted permission under a different policy context because national and local policies allow for replacement dwellings in the Green Belt. Furthermore, it does not affect the setting of a listed building and is located within a dip in the land rather than on an elevated hillside. There are, therefore, significant differences between that case and this proposal and it does not persuade me to alter my view.

22. The Framework advises that inappropriate development should not be approved except in very special circumstances. These will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The substantial harm caused by the proposed extension by reason of inappropriateness and its significant impact on the openness and purposes of the Green Belt carries substantial weight against the proposal. The harm to the character and appearance of the area and to the listed buildings carries further weight against the development.

23. I conclude then that these other considerations do not clearly outweigh the identified harm and development plan conflict so as to amount to the very special circumstances needed to justify inappropriate development in the Green Belt.

Conclusion

24. The proposals would conflict with the development plan and the Framework as a whole and there are no other material considerations that warrant determining the appeals otherwise. Both appeals should be dismissed.

Sarah Colebourne

Inspector