
Appeal Decision

Site visit made on 11 May 2021

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 June 2021

Appeal Ref: APP/J4423/W/20/3266123

Land off More Hall Lane, Ewden, Sheffield, South Yorkshire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Gary & Lesley Dyson against the decision of Sheffield City Council.
 - The application Ref 19/04447/FUL, dated 20 September 2019, was refused by notice dated 30 June 2020.
 - The development proposed is described as alterations to existing agricultural building to form dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I note that the Council questions whether the appeal building in its current form/detail has the benefit of planning permission. However, I do not have sufficient detail before me to be able to conclude on this matter. I have therefore made my decision based on the building as it currently stands and the proposal before me.

Main Issues

3. The main issues are
 - whether the development constitutes inappropriate development in the Green Belt, having regard to any relevant development plan policies and the National Planning Policy Framework (the Framework);
 - if the development is inappropriate development, its effect on the openness of the Green Belt and purposes of including land within it;
 - the effect of the development on the character and appearance of the area, and
 - if the development is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations that amount to the very special circumstances required to justify the development.

Reasons

Whether inappropriate development

4. Saved Policy GE1 of the Sheffield Unitary Development Plan-1998, (UDP), relates to all development in Green Belt. Although the policy is consistent with the purposes of including land within the Green Belt as outlined in the Framework, it does not include any of the development exceptions outlined in the Framework. In this regard it is not consistent with the Framework. Saved Policy GE5 of the UDP deals with new housing in the Green Belt. Again, the policy does not include the development exceptions outlined in the Framework. Consequently, with regard to Green Belt issues, I have assessed the proposal primarily against the most up-to-date national Green Belt policies, outlined in the Framework, as this is a significant material consideration.
5. Additionally, Policy GE9 of the UDP relates to the re-use and adaptation of rural buildings, regardless of whether they are in Green Belt or not. As I consider the appeal building to be a rural building, the policy is relevant to the determination of the appeal. The policy advises that the re-use and adaptation of rural buildings is permitted, subject to meeting certain specified criteria. The criteria relevant to this case are a) the existing building is capable of such conversion without significant alteration, extension or structural rebuilding, and b) the new use would not harm the landscape or character of the countryside.
6. Paragraph 145 advises that new buildings in the Green Belt are inappropriate. However, certain exceptions are provided, and the one which is relevant to the appeal is noted in sub paragraph 146 (d), ie the re-use of buildings provided that the buildings are of permanent and substantial construction, providing openness is preserved and the proposal does not conflict with the purposes of including land within the Green Belt.
7. During my site visit I observed that the building consists of a steel frame; the walls are mainly constructed of timber cladding externally, with timber sheets attached to and covering most of the elevations internally. A small area of the walls comprises block work internally with stone cladding externally. Timber purlins are sited on the steel frame to which the profiled sheet metal roof covering is attached. The appellants claim that the frame is set on concrete foundations and therefore no additional foundations would be required to facilitate the proposed conversion. Although I do not challenge the integrity of the appellant, I was not able to view the foundations on site; nor has any evidence been provided to substantiate the claim. The appellants consider the building to be of permanent and substantial construction and have confirmed that the existing portal framed structure and external timber cladding will be retained.
8. No details have been provided regarding the full nature and extent of works that would be required to convert the building to a standard that would meet relevant building regulations and provide satisfactory living conditions for future occupiers. However, the appellants have confirmed that the profiled sheet metal roof covering would be replaced with artificial slates. To my mind, enabling such an alteration to be made to the roof, in a way that would also satisfy current building regulations, is likely to require a significant alteration to the roof structure. I also note that the eaves of the building would be lowered a little, apparently to achieve the required or desired roof pitch to accommodate a tile roof covering. However, no details have been provided regarding how this

proposed change would be achieved, whether this would entail altering the existing steel frame, and if so what effect, if any, this may have on the weight bearing capacity of the structure.

9. Although the external timber cladding would be retained, it appears to me that walls would need to be constructed behind the timber cladding. Additionally, it is also likely, in my opinion, that a suitable ground floor would need to be installed. Again, the walls and ground floor would need to be constructed to standards that would satisfy relevant building regulations and provide satisfactory living conditions for future occupiers. As such, I consider the nature and extent of such works to constitute significant alterations.
10. The proposal would utilise existing fenestration openings and insert 2 No. additional window openings. Although the windows and doors would be more substantial than the existing, I consider the extent of such works to be limited.
11. Notwithstanding my conclusion regarding fenestration changes, given the nature and extent of works that would have to be carried out to facilitate the conversion of the existing building to use as a dwelling, I conclude that the existing building is not of permanent and substantial construction as referred to in sub paragraph 146 (d) of the Framework. Consequently, the proposed development does not satisfy this exception and therefore the proposal constitutes inappropriate development in the Green Belt. Paragraph 143 of the Framework advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
12. Furthermore, as I consider the building is not capable of conversion to a dwelling without significant alteration, the proposal does not accord with Policy GE9 of the UDP, which I consider to be broadly consistent with Green Belt policy in the Framework on the matter of re-use of buildings in the Green Belt.

Effect on openness & purposes of Green Belt

13. Paragraph 133 of the Framework states that the essential characteristics of Green Belts are their openness and permanence. The openness of the Green Belt can have both spatial and visual dimensions. I accept the view of the appellants that the proposed alterations to the building would be insignificant in respect of impact on the openness of the Green Belt, both spatially and visually.
14. However, the extent of the site edged red is substantially larger than the footprint of the building. Consequently, the area around the building is likely to be used as domestic garden and may become the domestic curtilage. As such, it would be possible, and likely in my opinion, that future occupiers would wish to erect domestic outbuildings, such as a shed or garage, on the land. Additionally, the area to the south of the proposed dwelling is likely to be used as outdoor amenity space, as it faces south; the result of which would be garden furniture and other domestic paraphernalia sited in this area. Also, the drive would be relatively extensive and could have domestic motor vehicles and/or a caravan parked on it. Given that the site is on a slope that rises from the adjacent road, much of the domestic paraphernalia would be highly visible as would any domestic outbuildings. Notwithstanding my conclusion regarding the impact of the building on openness, I therefore conclude that the extent of the proposed site and its likely uses would have an impact on both the spatial

and visual openness of the Green Belt, all-be-it to a limited degree; and I do not consider that such harm could be controlled by condition(s) that would meet the relevant tests.

15. Additionally, due to the extent of the site and its likely uses, I consider the proposal would encroach into the Green Belt, again, to a minor degree, and therefore threaten one of the purposes of including land within it, as outlined in paragraph 134 of the Framework. As such, the proposal would not accord with the Framework in this regard or saved policy GE1 of the UDP.

Effect on the character and appearance of the area (High Landscape Value)

16. I have not been provided with any up-to-date evidence that the site is within an area designated as being of high landscape value (HLV). Nevertheless, the area does have a particular character and appearance. The site is located within a valley a little north of one of the reservoirs that lie in the valley base. The roadsides are dominated by trees and the area is characterised with surrounding woodland. The surrounding fields are generally medium sized and enclosed with drystone walls. The buildings in the area, of which there are very few off More Hall Lane, are predominantly traditional style stone built properties with slate or stone roof coverings; they are generally designed with dual-pitched roofs, gable ends (some have front and/or rear gables), and well-proportioned fenestration.
17. The existing building is sited towards the top of the field that rises from the roadside. As such, it is, and would be, highly visible from the road. The likelihood of domestic paraphernalia being sited within the site, along with domestic vehicles being parked on the driveway, would alter the appearance of the site; from that of an open field with associated agricultural building to that of a domestic residential environment. Additionally, I consider the proposed window design on the southern facing elevation, in particular the narrow horizontal openings sub-divided into square panes and the sub-division of the large central window into square panes, would be at odds with the fenestration design of other properties within the area, including agricultural related buildings. I consider that these factors would alter the appearance of the site and erode the open agricultural landscape; factors I consider would significantly harm the character and appearance of the area.
18. Consequently, the proposal does not accord with saved policies GE4 and GE9 of the UDP (which I consider to be consistent with the Framework in respect of their objective to protect the character and appearance of the area), or paragraphs 124 and 127 of the Framework. Collectively, and among other things, these policies require development to be of high-quality design, in keeping with and sympathetic to the character and appearance of the area, and not to harm the countryside.

Other considerations & very special circumstances

19. Paragraph 144 of the Framework advises that when assessing planning applications in the Green Belt, substantial weight shall be given to any harm to the Green Belt. Additionally, '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.

20. The proposal would provide an additional dwelling, which would be of minor social benefit. The works associated with the proposal would be of minor economic benefit. Given the minor extent of these benefits I attach limited weight to each of them. The appellant considers the proposal would improve the appearance of the building and therefore the area. However, I disagree with these assertions and therefore do not attach any weight to such factors. The appellant suggests that the proposal is supported by the Government's relaxation of regulations related to conversion and change of use of buildings. I am not certain which regulations specifically the appellant is referring to. However, although the Government has introduced changes regarding change of use of buildings to residential use (related to permitted development and national policy & guidance), I am not persuaded by the suggestion that such general changes add specific weight in support of the proposal.
21. I have found that the proposal constitutes inappropriate development in the Green Belt, that it would have a limited impact on the spatial and visual openness of the Green Belt and that it would encroach, to a minor degree, into it. Additionally, I have found that the proposal would significantly harm the character and appearance of the area.
22. In accordance with the Framework, substantial weight is attached to any harm to the Green Belt. Furthermore, the Framework advises that very special circumstances will not exist unless harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. For the reasons given, I conclude that the harms I have found have not been clearly outweighed by other considerations as outlined above. Consequently, the very special circumstances required to justify the proposed development do not exist. As such, the proposal does not accord with saved policy GE9 of the UDP or Green Belt policies in the Framework.

Conclusion

23. For the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson

INSPECTOR