
Case Number	18/01888/FUL (Formerly PP-06976873)
Application Type	Full Planning Application
Proposal	Partial demolition of existing barn, alterations and conversion of barn to create a new dwelling. (Amended Plans received 4th February 2019).
Location	37 Nethergate Sheffield S6 6DH
Date Received	15/05/2018
Team	West and North
Applicant/Agent	Time Architects
Recommendation	Grant Conditionally

Time limit for Commencement of Development

1. The development shall be begun not later than the expiration of three years from the date of this decision.

Reason: In order to comply with the requirements of the Town and Country Planning Act.

Approved/Refused Plan(s)

2. The development must be carried out in complete accordance with the following approved documents:

Site Location Plan: Job Number 1803: Drawing No: 100 Revision A received 4th June 2018

Proposed Site Plan: Job Number 1803: Drawing No: 201 Revision C received 6th February 2019

Proposed Ground Floor Plan: Job Number 1803: Drawing No: 202 Revision C received 6th February 2019

Proposed First Floor Plan: Job Number 1803: Drawing No: 203 Revision C received 6th February 2019

Proposed Elevations (North & West): Job Number 1803: Drawing No: 205 Revision C received 6th February 2019

Proposed Elevations (East & South): Job Number 1803: Drawing No: 206 Revision B received 6th February 2019

Reason: In order to define the permission.

Pre Commencement Condition(s) – ('true conditions precedent' – see notes for definition)

3. No development shall commence until the actual or potential land contamination and ground gas contamination at the site shall have been investigated and a Phase 1 Preliminary Risk Assessment Report shall have been submitted to and approved in writing by the Local Planning Authority. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

4. Any intrusive investigation recommended in the Phase I Preliminary Risk Assessment Report shall be carried out and be the subject of a Phase II Intrusive Site Investigation Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR 11 (Environment Agency 2004).

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

5. Any remediation works recommended in the Phase II Intrusive Site Investigation Report shall be the subject of a Remediation Strategy Report which shall have been submitted to and approved in writing by the Local Planning Authority prior to the development being commenced. The Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Local Planning Authority policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with and the site is safe for the development to proceed, it is essential that this condition is complied with before the development is commenced.

6. Prior to commencement of development, including any works of demolition, details shall be submitted to and approved by the Local Planning Authority specifying measures to monitor and control the emission of dust during demolition and construction works. The development shall be carried out in accordance with the approved details thereafter.

Reason: In the interests of the amenities of the locality and occupiers of adjoining property, it is essential that this condition is complied with before the development is commenced.

Other Pre-Commencement, Pre-Occupancy and other Stage of Development Condition(s)

7. All development and associated remediation shall proceed in accordance with the recommendations of the approved Remediation Strategy. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy, or unexpected contamination is encountered at any stage of the development process, works should cease and the Local Planning Authority and Environmental Protection Service (tel: 0114 273 4651) should be contacted immediately. Revisions to the Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Works shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Reason: In order to ensure that any contamination of the land is properly dealt with.

8. Upon completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. The development shall not be brought into use until the Validation Report has been approved in writing by the Local Planning Authority. The Validation Report shall be prepared in accordance with Contaminated Land Report CLR11 (Environment Agency 2004) and Sheffield City Council policies relating to validation of capping measures and validation of gas protection measures.

Reason: In order to ensure that any contamination of the land is properly dealt with.

9. Details of all proposed external materials and finishes, including samples when requested by the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced. Thereafter, the development shall be carried out in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development.

10. Large scale details, including materials and finishes, at a minimum of 1:20 of the items listed below shall be approved in writing by the Local Planning Authority before that part of the development commences:

Windows and reveals
Rooflights
Doors
Eaves and Verges
Rainwater goods
Services and meter boxes
Flues

Thereafter, the works shall be carried out in accordance with the approved details.

Reason: In order to ensure an appropriate quality of development.

11. Details of any repairs to the stone boundary wall shall be submitted to and approved in writing by the Local Planning Authority before that part of the development is commenced, or an alternative timeframe to be agreed in writing by the Local Planning Authority. The repair works shall be carried out in accordance with the approved details and thereafter such means of site enclosure shall be retained.

Reason: In the interests of the visual amenities of the locality.

12. No above ground works shall proceed until full details of bat boxes to be provided and integrated into the structure have been submitted to and approved by the Local Planning Authority. The bat facilities shall be provided and retained thereafter and photographic evidence of these, in situ, shall be provided before first occupation.

Reason: In order to encourage biodiversity in the locality.

13. Prior to the occupation of the building, the 'pig pens' as shown on Drawing No: 101 shall be removed from site.

Reasons: In the interests of the visual amenities of the locality.

Other Compliance Conditions

14. Rooflights shall be of a 'Conservation Style' type only. No part of the rooflight shall project above the surface of the roofing slates unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure an appropriate quality of development.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to H inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, garages, ancillary curtilage buildings, swimming pools, enclosures, fences, walls or alterations which materially affect the external appearance of the building shall be constructed without prior planning permission being obtained from the Local Planning Authority.

Reason: To ensure that the traditional architectural character of the buildings is retained and there is no visual intrusion which would be detrimental to the amenities of the locality.

Attention is Drawn to the Following Directives:

1. The Local Planning Authority has dealt with the planning application in a positive and proactive manner and sought solutions to problems where necessary in accordance with the requirements of the National Planning Policy Framework.
2. The applicant should install any external lighting to the site to meet the guidance provided by the Institution of Lighting Professionals in their document GN01: 2011 "Guidance Notes for the Reduction of Obtrusive Light". This is to prevent lighting causing disamenity to neighbours. The Guidance Notes are available for free download from the 'resource' pages of the Institute of Lighting Professionals' website.
3. The applicant is advised that noise and vibration from demolition and construction sites can be controlled by Sheffield City Council under Section 60 of the Control of Pollution Act 1974. As a general rule, where residential occupiers are likely to be affected, it is expected that noisy works of demolition and construction will be carried out during normal working hours, i.e. 0800 to 1800 hours Monday to Friday, and 0800 to 1300 hours on Saturdays with no working on Sundays or Public Holidays. Further advice, including a copy of the Council's Code of Practice for Minimising Nuisance from Construction and Demolition Sites is available from the Environmental Protection Service, Howden House, Union Street, Sheffield, S1 2SH, tel. 0114 2734651.
4. You are advised that this development is liable for the Community Infrastructure Levy (CIL) charge. A liability notice will be sent to you shortly informing you of the CIL charge payable and the next steps in the process, or a draft Liability Notice will be sent if the liable parties have not been assumed using Form 1: Assumption of Liability.

Site Location



© Crown copyright and database rights 2016 Ordnance Survey 10018816

LOCATION AND PROPOSAL

This application relates to a two storey stone built barn and associated land which are located on the south western edge of Stannington adjacent to open countryside with views over the Rivelin Valley to the east. Immediately to the north of the barn are a row of four stone terraced dwellinghouses. It is likely that the barn would have originally been associated with one of the adjoining dwellinghouses.

Access to the barn is taken via an existing narrow private access off Nethergate, which also serves four neighbouring houses. This access is currently used by existing residents and it is understood that there is an established right of access through the shared courtyard and across part of the application site (via a series of gates) to the adjacent land to the south. It is understood that the barn is in the same ownership as at No.37 Nethergate. To the immediate west of the barn is a detached outbuilding/barn adjacent to which is a detached bungalow. Open fields designated as Green Belt lie to the south and east.

The barn in question is located within a Housing Area as defined on the Sheffield Unitary Development Plan proposals map, however the red line application site boundary plan includes a grassed area of land immediately to the south of the barn delineated by existing low stone boundary walls and timber post and rail fencing. This part of the site is located in the Green Belt and is proposed to be used as the garden area associated with the barn.

This grassed area adjoins agricultural fields (Green Belt) to the south and east, and the housing area to the west and north.

The area to the north and west is residential in character, comprising attractive stone dwellinghouses, many of which would have been associated with the original farm houses in the area. There are some newer build properties in the vicinity as well.

Planning permission is sought for alteration and conversion of the barn to create a single dwellinghouse and the change of use of a parcel of land immediately to the south of the barn to garden land. The proposal also includes the demolition of part of the existing barn to facilitate the provision of parking for No.37 Nethergate.

Amended plans have been received during the consideration of the application omitting a proposed extension to the barn and amending some of the proposed fenestration detailing.

RELEVANT PLANNING HISTORY

99/02261/FUL – Two-storey side extension to dwellinghouse at No.37 (amended 23.06.1999) – Granted conditionally

14/03974/FUL - Alterations to barn, including part demolition and erection of a two-storey side extension to form a dwellinghouse – Application returned.

SUMMARY OF REPRESENTATIONS

Bradfield Parish Council has recommended refusal of the application as the development is in Green Belt.

Loxley Valley Protection Society (LVPS) has submitted two letters of objection to the scheme. Whilst they note the benefit of saving a barn from dereliction, their concerns are summarised below:

- The conversion will result in more cars being brought into a restricted area, through a narrow access.
- Neighbours have a legal right to access the barn as well as the stack yard.
- Inconvenience from construction works.
- Fenestration has been kept to a minimum to retain character of the barn, however the extension is not compatible with the character of the building.
- The original stone roof slates should be reused if the application is granted.
- The extension and domestic curtilage would impinge into the Green Belt.
- The addition of residential accommodation would be severely detrimental to the living conditions of those already living there, due to the restricted access and dimensions of the yard.

LVPS have provided additional comments stating their original objection stands.

Sheffield & Rotherham Wildlife Trust have objected to the application as summarised:

- Proposed extension will impact on Green Belt.
- The barn could provide roosting and nesting for bats and birds. No evidence of ecological survey having been undertaken.

Six letters of objection have been received from members of the public and are summarised below:

Planning Considerations

- Application form states roof is natural stone – 30/35% of the roof is asbestos, the remaining being another material.
- Application does not account for the provision of an additional parking space, alongside the 1 currently used for No.37.
- The site is not conducive to more cars and more activity.
- Bat survey is required.
- The section of barn to be removed is adjacent to an extension to No.37, therefore the existing awkward relationship is a result of the applicants, and therefore not a reason to remove.
- The pig pens have not been in place for 10 years.
- Grassed area is Green Belt and therefore a change of use of land.
- Proposed extension is within the Green Belt.
- The proposal removes nearly a third of the barn, therefore does not comply with GE9.
- Application takes no account of Area of special character.
- Using the access will prevent parking for No.33 and No.35.

- Concerns of safety of residents due to additional vehicular movements.
- Concerns over privacy of existing residents.
- Drainage – heavy rainfall flood area with sewage, drainage system unable to cope without addition of a further property.
- Plans appear to have been skewed to make new buildings fit by repositioning older buildings.
- Safety concerns due to further vehicle movements.

Non Planning Considerations

- Owners of No.33 and No.35 have legal right to access the barn and the land adjacent.
- The deeds do not include provision for allowing access across land associated with No.33 and No.35, including access to water and waste amenities.
- Asbestos in the roof of the barn – concerns over the improper and unplanned removal of such hazardous substance.
- The proposed changes to the profile of the yard to the front are within ownership of No.35.
- Removal of part of barn will affect microclimate, exposing residents to excessive levels of wind.
- Contractor vehicles would not be able to access the land, due to restricted access.

Two letters of support have been received and are summarised below:

- No objections to a sympathetic conversion.
- Improving an existing building of character will be a benefit to local area.
- Would be sad to see it fall into further disrepair.
- New homes needed, and proposal is solution to an eyesore.

PLANNING ASSESSMENT

Policy basis

National Planning Policy Framework (NPPF)

The National Planning Policy Framework attaches great importance to the design of the built environment and emphasises its role in contributing positively to making places better for people, whilst not attempting to impose architectural styles or particular tastes.

Development Plan Policies

The red line of the application site includes land located within a Housing Area, the Green Belt and an Area of Special Character, as defined by the Sheffield Unitary Development Plan. The assessment takes account of Policies H10, H14, BE5, BE18, GE1, GE2, GE4 and GE9 of the Unitary Development Plan (UDP). Attention is also given to the provisions of Core Strategy Policies CS71 and CS74 and the National Planning Policy Framework.

Use

The barn is in an allocated Housing area and the proposed conversion of the barn to a dwelling house is accepted under UDP Policy H10, as housing is the preferred use in the policy area.

It is proposed to form a garden and a single parking space for the barn on a small parcel of land immediately to the south of the existing barn which is delineated by existing walls and fences and the rear boundary of No.39 Nethergate. This land is in the Green Belt

The National Planning Policy Framework (NPPF) gives great importance to Green Belts (Paras 133 – 147) and the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 goes on to state that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from a proposal, is clearly outweighed by other considerations. Paragraphs 145 in relation to the construction of new buildings and paragraph 146 in relation to other forms of development identify a number of different forms of development which are excluded from the definition of inappropriate development.

The material change in the use of land to garden land, is not considered to be one of the exceptions from the definition of inappropriate development identified within the NPPF (para 146). As such the change of use to garden land is by definition inappropriate development and therefore very special circumstances must be demonstrated.

UDP Policy GE1 – ‘Development in the Green Belt’ broadly reflects the guidance in the NPPF and sets out that development will not be permitted, except in very special circumstances, where it would lead to unrestricted growth of the built up area or lead to encroachment of urban development into the countryside.

UDP Policy GE2 ‘Protection and improvement of the Green Belt Landscape’ states that measures will be taken to improve and enhance Green Belt landscape.

UDP Policy GE4 – ‘Development and the Green Belt Environment’ states that any development in the Green Belt, or conspicuous from it should be in keeping and where possible conserve and enhance the landscape.

Impact on Green Belt

The area of proposed garden land is already clearly delineated by an existing stone boundary wall, timber (post and rail) fence and the rear boundary of No.39 Nethergate and is considered to be clearly associated with the existing barn. It currently contains a ‘pig pen’ formed in timber fencing (to be removed as part of the development) which is attached to the southern elevation of the existing barn. The remainder of the proposed garden has been used at different times for the storage of machinery and other building materials. The area is clearly delineated from the

adjacent agricultural fields to the south and east by the existing boundary treatment.

When viewed from the adjacent Green Belt land to the south and east, the land is read in conjunction with the barn and against a back-drop of residential properties and their associated domestic curtilages to the north and west of the site. The site is largely screened from Nethergate by established built form. Taking account of the above, it is considered that the use of this land as domestic curtilage would not appear out of character nor would it appear significantly different than existing when viewed from the Green Belt and wider area.

It is noted that a local resident has stated that the fenced pig pens are a recent addition to the site. Nevertheless, the application proposal represents an opportunity to remove the pig pens which detract from the site, especially in terms of the appearance and character of the barn. The use of this land as domestic curtilage will also remove any likelihood of agricultural machinery or other related material being stored on the site, which has the potential to have a more urbanising effect and to detract from appearance of the Green Belt, than the proposed use. The removal of the pig pen and agricultural paraphernalia will therefore have a beneficial impact upon the openness of the Green Belt and will enhance views from the Green Belt and therefore a degree of weight should be given to this benefit in terms of assessing 'very special circumstances'.

Notwithstanding the assessment of 'very special circumstances' the removal of the above is considered compliant with the aims of UDP Policy GE2 by improving the Green Belt landscape, and also UDP Policy GE4 by improving views within and conspicuous from the Green Belt. It is also considered consistent with the aims of paragraph 141 of the NPPF by improving the visual amenity of the Green Belt. To ensure this benefit is achieved, a condition is recommended to be imposed to ensure the removal of the pig pen prior to occupation of the barn.

The fact that the barn and the proposed garden area fall within two separate policy areas (housing and Green Belt) as defined in the UDP is also considered to contribute to the very special circumstances in this case. Significant weight is given to the fact that the use of the barn for residential purposes reasonably requires some dedicated garden space. The land immediately to the south of the barn is clearly visually associated with the existing barn and is the only land adjacent to it that is considered to be suitable for the proposed purpose. Furthermore, the use of the land to the south of the barn as domestic curtilage is considered necessary to facilitate the residential use of the barn.

The barn is currently in a state of disrepair; nevertheless it is a traditional building of character and is located within an Area of Special Character as defined by the Unitary Development Plan. The proposal therefore represents an opportunity to retain and restore a traditional building which contributes to the character of the area and which is visible from Green Belt land. The change of use of the land to the south of the barn will therefore enable the restoration of the barn alongside the associated benefits of improving the Green Belt landscape (removing the pig pen etc). The restoration of this attractive traditional building will not only enhance its appearance, but will also enhance views of the site from the Green Belt and is only

possible by allowing the change of use of the grassed area to garden space. This is considered to comply with the aims of UDP Policy GE2 and GE4, and the principles of Paragraph 141 of the NPPF, and therefore weight should be given to this positive opportunity when considering 'very special circumstances'.

Members should note the benefits of converting the barn to a residential use, with strong consideration given to the fact this is only viable if the grassed area is used as domestic curtilage and therefore significant weight should be given to the benefits of the reuse of the barn.

In addition to the garden area, a single parking space is to be created immediately adjacent to the barn, located on the northern part of the current grassed area (Green Belt). This is the only feasible option to allow parking for the property and a parking space is considered necessary to facilitate the barn conversion. It should be noted that vehicles associated with agriculture could park on this land currently and therefore the harm to the Green Belt attributed by a single car is not considered significant in this instance and is outweighed by the benefits of converting the barn.

Whilst assessing the benefits of the barn conversion, it is considered that Permitted Development Rights under Schedule 2, Part 1, Class A to H and Part 2 Class A of the General Permitted Development Order (GPDO) should be removed by the imposition of a condition. This is to ensure that development such as extensions, domestic outbuildings and enclosures cannot be constructed without planning permission, which otherwise could have an impact upon the openness and visual amenities of the Green Belt.

In addition to the visual improvement to the site identified above and the benefits of restoring and bringing a building of character back into use, weight should also be given to the fact that the site is already connected and visually associated with the barn and is already clearly delineated from the agricultural fields further to the south and east by established stone boundary walls and timber (post and rail) fencing. As such the change of use is not considered to affect the openness of the Green Belt.

Subject to removing permitted development rights, the land will not result in any new built form encroaching into Green Belt land, thereby not conflicting with one of the main purposes of Green Belt Policy. In addition, the physical boundary of the site will not be altered and the development is considered to result in an improvement to the visual appearance of not only the land in question, but also the barn which is clearly visible from Green Belt. A key consideration is that the acceptability of the barn conversion is reliant on the formation of a suitable garden area for the use of future residents. Therefore the benefits to the visual amenity of not only the Green Belt but also the wider Area of Special Character are only possible if the land immediately to the south of the barn is used as garden space.

In light of the above the use of the land to the south of the barn as a garden area is not considered to conflict with the purposes of including land within the Green Belt as defined by the NPPF, or to detrimentally affect the openness, character or appearance of the Green Belt. The benefits of securing the restoration and reuse

of the barn which is dependent on the provision of a garden area are considered to amount to very special circumstances in this case which would outweigh any material harm to the Green Belt by reason of inappropriateness and any other harm associated with the proposal. The development is therefore considered to comply with the aims of the NPPF, as well as UDP Policies GE1, GE2, GE4, GE9 and CS74 of the Core Strategy.

Design

UDP Policy H14 relates to conditions on development in Housing Areas. It details under Part (a) that new buildings are well designed and would be in scale and character with neighbouring buildings.

UDP Policy GE9 'Re-use and adaption of rural buildings' states that re-use of rural buildings are permitted providing they are converted without significant conversion and the new use would not harm the landscape or character of the area.

The development also needs to be assessed against policy CS74 of the Council's Core Strategy. This policy sets out that high quality developments will be expected to enhance the distinctive features of the city. The topography and green network should also be respected in the design of new developments.

The site is located within an Area of Special Character and therefore UDP Policy BE18 is also applicable. This policy states that buildings and open spaces amongst other things shall be retained that contribute to the character of the area and new development shall respect the appearance and character of the area.

Firstly, the upper section of the barn is to be demolished. Whilst attached to the main barn, it has a slightly different appearance from the main barn which is to be retained. The section to be demolished is located on a higher parcel of land with a higher eaves and ridge line than that of the main barn which is to be retained. The partial demolition of the barn would pull the development approx. 7 metres away from the front elevation of No.37 which has in the past been extended creating a rather awkward relationship with the barn. Currently the gable end of the barn sits very tight up against the front elevation No.37 and therefore the alterations, will to a degree improve the outlook and natural lighting to the neighbouring property. It is noted that this demolition would mean the development would conflict with the aims of UDP Policy GE9 to a degree, however the demolition is part of the overall 'package' to ensure that the conversion and retention of the main part of the barn is possible and will result in No.37 retaining a parking space. This is therefore considered acceptable.

The proposed development would see the main part of the barn repaired and put to a residential use. It is proposed to re-use stone slates for the roof, which have been removed previously in order to undertake some repair works. The proposed conversion includes a new first floor within the volume of the existing barn and will utilise existing window and door openings alongside the insertion of a new small ground floor window within the east elevation, reflecting the style of the other openings. New conservation style roof lights are also proposed. These openings

and rooflights will provide adequate light and outlook for the accommodation. Fenestration detailing will be secured by condition.

In light of the above, the traditional agricultural character and appearance of the building would not be significantly altered. High quality materials are proposed, retaining the existing stonework and reinstating stone slates on the roof. It is considered that the conversion would not have a harmful impact upon the appearance of the barn or the Area of Special Character. Furthermore, the development would bring about an overall improvement to the appearance of the building, which is currently in a state of disrepair. This is also considered to be an improvement in terms of views from the Green Belt in line with UDP Policy GE4.

For the reason above, it is considered that the proposal would comply with UDP Policies H14, BE18, GE4, GE9 and BE5 and CS Policy CS74.

Residential Amenity

Policy H14(c) states that in Housing Areas, development will be permitted provided that the site would not be over-developed or deprive residents of light, privacy or security, or cause serious loss of existing garden space which would harm the character of the neighbourhood.

There are no specific guidelines in relation to the construction of new dwellings, however privacy and separation distances set out in the Supplementary Planning Guidance 'Designing House Extensions' (SPG: DHE) are applicable in this instance. Designing House Extensions SPG Guidelines 4-6 detail how the above policy is put into practice. These guidelines essentially require extensions to avoid overshadowing neighbouring property and maintain minimum levels of privacy.

The conversion of the main part of the barn would not give rise to any overshadowing/overbearing issues. The demolition of part of the barn would pull the development away from No.37, thereby having a positive effect on their outlook.

The only possibility for overlooking from the proposal would be from the proposed first floor window within the western elevation. The south and east elevations would face over the proposed garden area and open fields. The north elevation would not have any window openings. The west elevation faces towards the yard, opposite a barn-type building. The orientation and angle towards No.31-37 Nethergate is such that any overlooking would be minimal. The ground floor openings are not considered to give rise to any privacy issues. As noted, there is a first floor window within the western elevation which could allow for some overlooking to the garden and property of No.39 Nethergate. The depth of the opening in question and the angle towards that property is such that it is unlikely that any overlooking would be significant and it certainly would not give direct views towards this neighbour. Submitted plans show that the window would be set back within the opening by approx. 300mm.

Assessment has also been made with regards to pedestrian and vehicular movements associated with the proposed conversion. The access into the site is

already used by neighbouring residents (including vehicles). The proposal would result in additional vehicle movements associated with the new residential use. It is also noted that there is an access to be retained which runs from Nethergate through the site and adjacent to the proposed garden area into the field below. There is no evidence to show that this access is used frequently, nevertheless there is the potential for this access to be used by agricultural vehicles. It is not considered that the additional vehicle movement and pedestrian movements associated with a single dwellinghouse would give rise to such harm to neighbouring living conditions to justify a refusal.

For the reasons specified above, the application is considered to comply with H14 (c).

Future Occupiers

The proposed house would have adequately sized living accommodation with a living room /dining space and bedroom at ground floor level, and two bedrooms and a bathroom at first floor level. Suitable outlook would be provided from the eastern, western and southern elevations. The orientation of the windows and separation distance to all neighbours will ensure that the amenity of future residents would be acceptable. A suitable sized garden area is also proposed.

Highways

Existing access into the site is to be taken from Nethergate. Whilst the access is narrow, it is currently used by adjoining residents and could be used by agricultural vehicles accessing the field to the south. There is no evidence to demonstrate the frequency of agricultural vehicles traversing this access, nevertheless there is the potential due to the clear route through to the field.

It is not considered that the addition of a further vehicle movement would be significantly harmful. It is noted that residents have concerns over safety within the yard, however given the restricted width of the access it is unlikely that a driver would enter the driveway at speed. It is accepted that the access is narrow, however ultimately this is used as existing and additional movements associated with a single dwelling is not considered to be harmful to highway safety.

A single parking space is considered acceptable for the barn given the constraints of the site. The removal of the upper barn will also provide a parking space for the adjoining dwelling No.37.

Fire Vehicle Access

The distance from the furthest most part of the dwellinghouses to the existing road is over 30 metres. South Yorkshire Fire and Rescue (SYFR) usually specify that the furthest point of a property to the public highway being no more than 45-50m. The proposed distance meets this requirement if measured from the furthest point of the property to the road. Building Regulations would however determine the need to incorporate a sprinkler system into the dwellinghouse.

Refuse Collection

Manual for Streets March 2007 (MSF) states specifications for Refuse Collection Vehicles. A distance of 12 metres maximum is usually acceptable, however longer distances can be accepted if straight and free from obstacles. A distance of 30 metres is generally the distances that bins can be collected on foot. The proposal would be just over 30 metres, and therefore bins will need to be taken out to and temporarily stored on street during collection days, which is a common arrangement for residential areas.

Ecology

A key principle of the NPPF is to conserve and enhance the natural environment. The planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity including the establishment of coherent ecological networks that are more resilient to current and future pressures

An ecological survey has been submitted which indicated a requirement to undertake further nocturnal bat surveys during the optimum survey period (May to August) to ensure that no bat roosts were present within the building. The nocturnal surveys have been submitted and the report confirms that no bat roosts were found within the building. The report recommends a bat box is included within the development details of which can be secured through condition. This presents a good commitment to enhancing the natural environment.

Land Contamination

Paragraph 117 of the revised NPPF sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions

Owing to the previous use of the site, there is a small risk that the site could be affected from ground contamination due to the possibility that the barn and outside area could have been used for storage of contaminated materials, such as vehicle and domestic fuels or agricultural chemicals. Further to this, given the proposed sensitive use and inclusion of garden area, it is recommended that the usual suite of conditions be attached that requires the investigation of any potential ground contamination and where necessary, its remediation.

Community Infrastructure Levy (CIL)

The development is liable to providing a contribution to the CIL, in order to provide improved infrastructure to meet the needs of new development. The agent has completed a relevant form to indicate they are aware of the required contribution for the scheme.

The site is in charging zone 3 which has a charge of £30 per square metre.

RESPONSE TO REPRESENTATIONS

The matters raised with regards to ownership and legal rights of use are separate from any subsequent planning permission and would be a matter between the relevant parties involved.

Concern has been raised with regards to the existing drains. Approval will be required from Yorkshire Water and Building Control, which is controlled separately.

SUMMARY AND RECOMMENDATION

The principle of converting the traditional stone barn (located within a housing area) is accepted under Policy UDP Policy H10. The proposal to change the use of the adjacent grassed area (Green Belt land) to domestic curtilage for the barn is considered to comply with the aims of Green Belt Policy outlined within the NPPF and UDP Policies GE1 as justified by the very special circumstances outlined within this report.

The existing barn is in a state of disrepair; however it contributes to the character of the area. The conversion is reliant on the change of use of the grassed area to domestic curtilage and therefore the proposal provides the opportunity to retain and improve the appearance of the barn. This grassed area is also already associated with the barn as existing and is delineated from adjacent agricultural fields by existing boundary treatment. The proposal is also not considered to conflict with the purposes of including land within the Green Belt and as such, the benefits provided by the development are considered to be very special circumstances in this case, and outweigh any harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal.

The separation distances between the proposed barn conversion and neighbouring properties are such that any effect of the development on these properties' residential amenity in terms of loss of outlook, overshadowing or loss of privacy would be minimal.

It is considered that the development would not have a significant impact on highway safety or result in the residential amenity of neighbouring properties being unduly harmed.

For the reasons given in the report and having regard to all other matters raised, it is considered that the development accords with the Unitary Development Plan Policies, The Core Strategy and the National Planning Policy Framework. The application is therefore recommended for approval subject to the conditions listed.

This page is intentionally left blank