

## PLANNING COMMITTEE – 18<sup>th</sup> March 2025

**Reference Number:** 24/01039/FLH

**Application expiry:** 17<sup>th</sup> February 2025

**Application Type:** FULL

**Proposal Description:** Demolition of existing extension and alteration to roof to provide level first floor space (Affecting a Public Right of Way)

**At:** High Moor Farm, Cinder Lane, Killamarsh, Sheffield S21 2AT

**For:** Mr. and Mrs. Hewitt

**Third Party Reps:** None

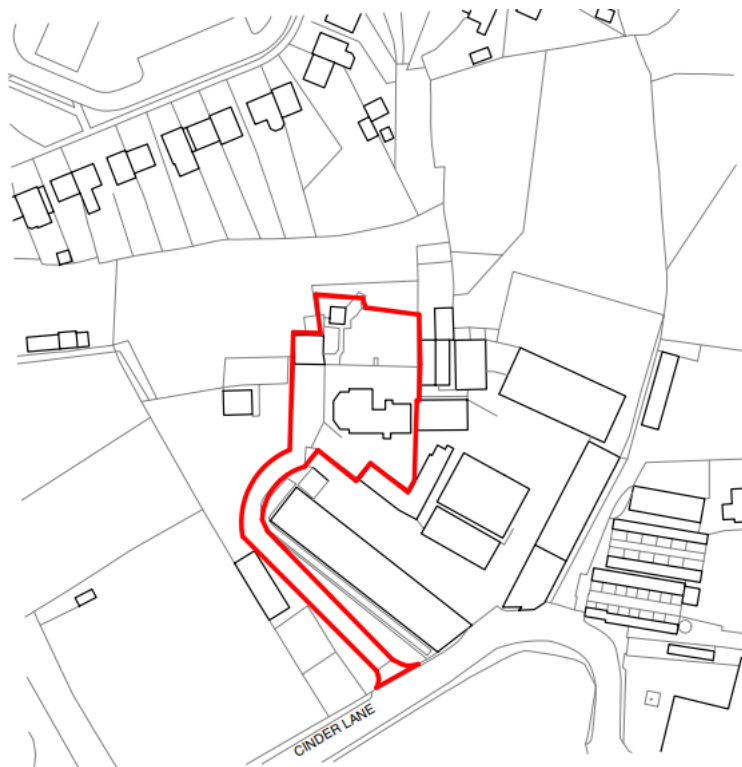
**Parish:** Killamarsh

**Ward:** Killamarsh

**Report Author:** Ken Huckle

**Date of Report:** 6<sup>th</sup> March 2025

**MAIN RECOMMENDATION:** Refuse



*Figure 1: Location plan, with site edged in red*

## 1.0 Reason for Report

1.1 Cllr Clough requested that the application be considered at Committee for the following reasons:

- To allow for scrutiny of this application, given concerns raised with Cllr Clough regarding its refusal in the past.
- To allow Mr. and Mrs. Hewitt the opportunity to present their case for scrutiny, given they are trying to provide enhanced space for their family, with a well-presented and adapted property with a smaller footprint than now.
- To alleviate concerns regarding the Public Right of Way as it is quite a distance from the dwelling and is likely to enhance the visual impact of the site.

## 2.0 Proposal and Background

### Site Description

2.1 The application site comprises a two-storey dwelling (see Figure 4 below) situated in the centre of a working farm complex which also has an element of an equestrian use (in part). The principal elevation faces south and to its eastern side is a section of building as a lower level than the primary part of the dwelling as shown in Figure 2 below.



Figure 2: Existing current front elevation

2.2 The building has been previously extended (see history section below) and so has lost its original rectangular footprint and now shows an L-shaped footprint with a two-storey extension to the north (comprising a lounge and corridor at ground level) and a conservatory, as shown on figure 3 below. There are also two lean-to extensions to the rear of the dwelling, one to the rear of the eastern end of the

dwelling, and one adjacent to this which is to the rear of the main body of the dwelling. Finally, a lean-to porch has been added to the principal elevation.

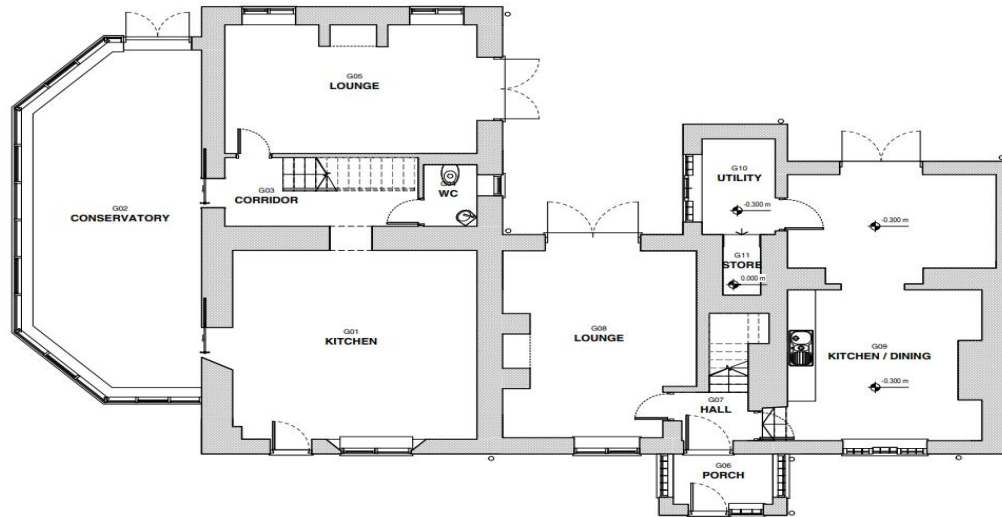


Figure 4: Showing current ground floor of dwelling with extensions (not to scale).

- 2.3 The site is located outside of the settlement development limit of Killamarsh and within the North East Derbyshire Green Belt.



Figure 4: The application dwelling.

Proposal

2.4 This application seeks permission to demolish the lean-to extensions to the rear elevation and further extend the dwelling by forming alterations to the roof, raising the ridge height of the easternmost part of the main dwelling in line with that of the remainder of the main dwelling in order to create a single roof apex. The proposed elevations are shown below in Figure 5.

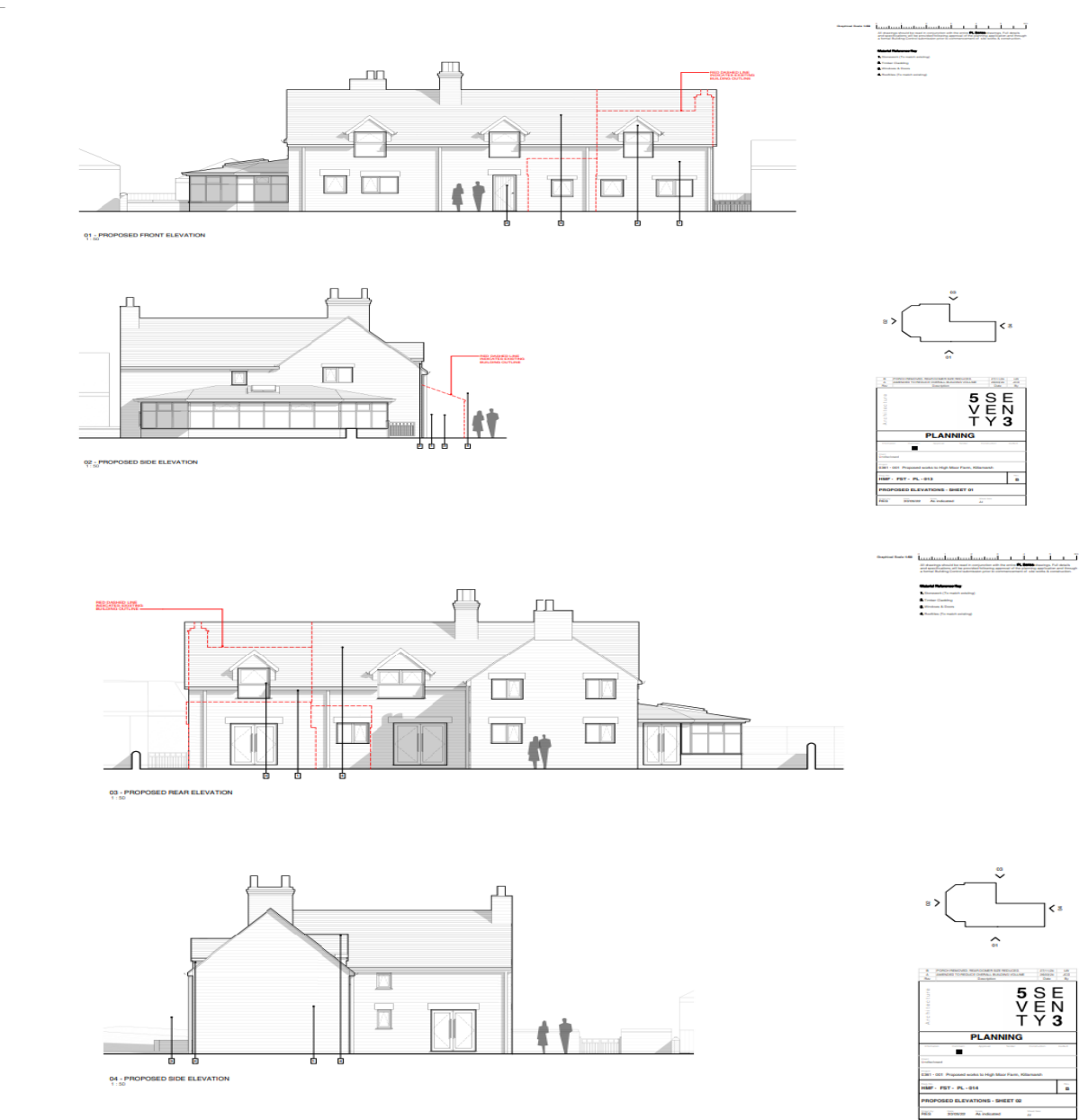


Figure 5: Propsoed elevations (not to scale)

## Amendments

- 2.5 No amendments have been received to this proposal. However, applications 22/00938/FL, which was dismissed on appeal, and 24/00491/FLH, which was refused by the Council, are for a similar scheme and therefore form material considerations in this case.

### 3.0 Relevant Planning History (not the full site history)

23/00017/REF	DISMIS	28.02.2024	Conversion of a pair of semi detached dwellings to be converted into one dwelling with external material alterations and roof extension (Affecting a public right of way)
75/00583/OL	R	25.12.1998	Bungalow (outline).
08/00258/FL	CA	02.05.2008	Construction of a two-storey rear extension and pitched roofs over existing first floor windows
22/00938/FL	R	19.12.2022	Conversion of a pair of semi detached dwellings to be converted into one dwelling with external material alterations and roof extension (Affecting a public right of way)
24/00491/FLH	R	23.08.2024	Demolition of existing extensions, erection of new porch and alteration to roof to provide level first floor side extension with alterations to fenestration (Affecting a public right of way)

### 4.0 Consultation Responses

- 4.1 Ward Member – Cllr Clough has asked that the application be determined at Planning Committee for the reasons set out in section 1 above.
- 4.2 Parish Council - No comments received

- 4.3 Highways Authority (DCC) – No objections received
- 4.4 Ramblers' Association – No objections received.
- 4.5 DCC Rights of Way Officer – Advisory notes requested.
- 4.6 Peak and Northern Footpaths Society – No comments received
- 4.7 Chesterfield Cycle Campaign – No comments received
- 4.8 British Horse Society – No comments received

## **5.0 Representations**

- 5.1 The application was publicised by way of neighbour letters and the display of a site notice which was placed on a telegraph pole outside of the site boundary and in full public view. This expired on 05/02/2025.
- 5.2 No members of the public have made representations as a result.

## **6.0 Relevant Policy and Strategic Context**

### **North East Derbyshire Local Plan 2014-2034 (LP)**

- 6.1 The following policies of the LP are material to the determination of this application:

SS1 Sustainable Development  
SS10 North East Derbyshire Green Belt  
SDC 3 Landscape Character  
LC5 Residential Extensions  
SDC12 High Quality Design and Place Making

### **National Planning Policy Framework (NPPF)**

- 6.2 The overarching aims of the National Planning Policy Framework (NPPF) have been considered in the assessment of this application. Of particular importance is Section 13 – Protecting Green Belt Land

### **Other Material Planning Considerations**

- 6.3 Successful Places Interim Planning Guidance, adopted December 2013

## **7.0 Planning Issues**

### **Principle of Development**

- 7.1 The primary consideration in this case is the site's Green Belt location. The Government, through the NPPF, states that it attaches great importance to the Green Belt and that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSC). VSC 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.
- 7.2 Policy SS10 of the North East Derbyshire Local Plan is generally consistent with this approach and states that *"Within the North East Derbyshire Green Belt as shown on the Policies Map, inappropriate development will not be approved except in very special circumstances"*. The most recent iteration of the NPPF (2024) alters the consideration of various Green Belt matters but retains the consideration in respect of extensions to buildings stating that the extension or alteration of a building [in Green Belt] is inappropriate except where it does not result in disproportionate additions over and above the size of the **original** building. In this respect policy SS10 is wholly consistent with the framework and so carries full weight in the determination of this application.
- 7.3 Further, and in addition, when considering this proposal, it is important to be mindful of the relevant dismissed appeal (dated 28.02.24) (Ref: APP/R1038/W/23/3324220) in respect of application NED/22/00938 which also sought consent to extend the dwelling in a similar way to that now proposed, in respect of the roof alterations, although by also adding a small additional rear extension. In that appeal the Inspector noted the increase in the roof height, amongst the other alterations proposed, and concluded that, *"together with the previous extensions, [these] would add significant volume to the original building"*. He concluded that the proposed development would be inappropriate development.
- 7.4 It is noted on site that, in addition to the extensions to the dwelling that have taken place, a summerhouse and garage (see Figure 6 below) are located in the curtilage of the dwelling, and these add further to the development located on the site and the intensity of its use.





Figure 6: The garage.

- 7.5 The table below sets out the original, existing and proposed volumes of the dwelling. This shows the percentage increase of each resulting phase of development (the proposed dwelling shows a slight reduction due to the proposed removal of the rear additions). Overall, it shows an increase in the original dwelling of 37.35%. In line with the Inspector's decision, this is considered to be disproportionate over and above the size of the original building, and therefore inappropriate development within the Green Belt.

	Volume (m <sup>3</sup> )	Percentage increase
Original dwelling	657.4	
Existing current dwelling	929	41.31
Proposed dwelling	903	37.35

- 7.6 The submitted planning statement provided by the applicant's agent places weight on the proposed reduction in the overall volume of the built form by the removal of the various existing structures stating that *"As the proposal actively reduces the existing size of the host dwelling, it does not constitute an extension"* [and] *"would not result in disproportionate additions"*.



However, this is plainly not relevant here as the starting point is the original building. This has been substantially extended already meaning that any further development of the site, even if marginally offset by the removal of some existing elements, still represents inappropriate development.

## Openness

- 7.7 Whilst the proposal reduces the overall size of the current building, the proposed raising of the roof would, it is considered, increase the visual impact of the building and so its impact on Green Belt openness.
- 7.8 In addition, it should be noted that the dwelling is at the top of a steep incline and can be viewed from dwellings within Killamarsh, from the east above other buildings and from the nearby public rights of way network (see Figure 7 below with the ROW shown in purple). The proposed additions to the building would, therefore, be readily viewed from publicly accessible locations, adding to their impact.

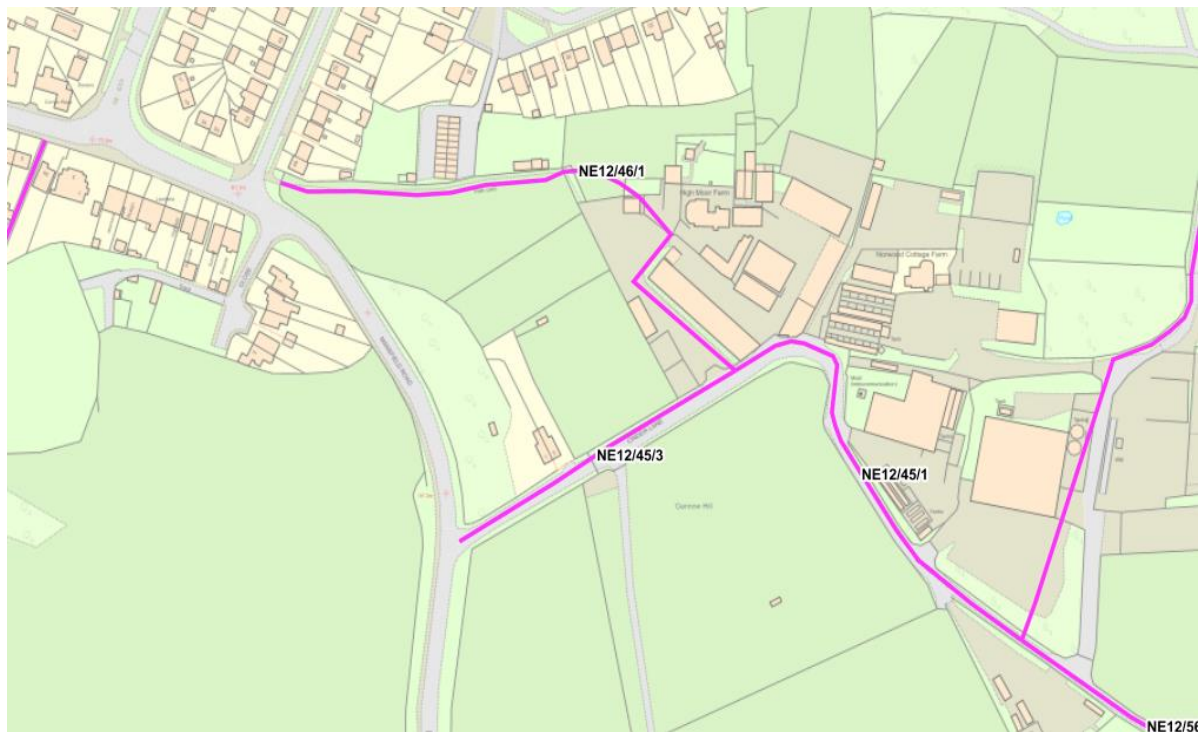


Figure 7: The site and surrounding rights of way (purple).

- 7.9 These factors were all noted by the Inspector in the assessment of the appeal scheme as was the fact that the previous extensions have already resulted in the loss of openness and this would be further negatively impacted as a result of further development.
- 7.10 As a result, it is concluded that the proposal would fail to preserve openness contrary to the policies of the Development Plan and the NPPF.

### **Very special circumstances**

- 7.11 In line with the NPPF, very special circumstances will not exist unless the harm to the Green Belt, by reason of inappropriateness and any other harm, is **clearly outweighed** by other considerations.
- 7.12 The application would create level accommodation at first floor level by raising the roof. The additional accommodation provided would improve the standard of accommodation for future occupiers but, as the Inspector set out, this may well be achieved by other means. There is no further discussion of any alternative schemes in the submitted details.
- 7.13 It is not considered that there are any very special circumstances attached to the proposal that result in a situation where the harm to the Green Belt is clearly outweighed.

### **Other matters**

- 7.14 In later submissions the applicant's agent sets out that the site is previously developed land (PDL) and so falls to be considered against paragraph 154(g) of the NPPF (policy SS10 2(f) of the Local Plan) and that the proposals are within the footprint of the existing building, involve the redevelopment of PDL and are acceptable as there would be no substantial harm to the Green Belt's openness.
- 7.15 Officers note this contention but do not consider this point overriding as follows:
- A. The Inspector in dismissing the appeal, as discussed above, did not consider it necessary to assess the proposal in respect of its potential as PDL which it would have been open to him to have done so.
  - B. The NPPF has recently been updated. It would have been open to the Government to remove the specific reference to extensions (para 154(b) [in respect of extensions] if it had intended for it not to be a consideration in its own right as most, if not all, extensions to dwellings in Green Belt will fall on PDL.
  - C. The extension itself is not considered to be "limited infilling or the partial or complete redevelopment of ...land" and so is incompatible with the wording of the NPPF.

Therefore, Officers consider it correct to assess the proposal as an extension and there is no requirement to consider it alternatively as the redevelopment of PDL.

### **Green Belt Conclusion**

- 7.16 As a result of the above considerations, it is concluded that the proposal represents inappropriate development within the Green Belt, which is, by definition, harmful and which should not be approved except in very special circumstances. In addition,

there is harm to the openness of the green belt and there are no very special circumstances that outweigh the harm caused, both by definition and otherwise.

### **Privacy and Amenity Considerations**

- 7.17 The proposal is separated from the closest dwelling by 78m. It is therefore concluded there are no overlooking or overshadowing impacts as a result of the proposal.

### **Highway Safety Considerations**

- 7.18 The Highway Authority has commented on the proposal and raise no objection as the proposal would not have a material impact on the highway. Officers concur with this view and conclude that the proposal is acceptable in this regard

## **8.0 Summary and Conclusion**

- 8.1 In light of the above it is considered that the proposal represents inappropriate development in the Green Belt which is by definition harmful. In addition, the visual openness of the Green Belt is harmed by the increase in the roof height, the massing of the dormers and the intensification of the built form on site.
- 8.2 With no very special circumstances to clearly outweigh the harm to the Green Belt the proposal is contrary to the NPPF and policy SS10 of the Local Plan.

## **9.0 Recommendation**

- 9.1 That planning permission is **REFUSED**, with the final wording of the reason delegated to the Planning Manager (Development Management) as follows:-

### **Reasons for Refusal**

Policy SS10 of the Local Plan states that new buildings within the Green Belt will not be granted planning permission with one exception being for extensions to existing buildings providing it does not result in disproportionate additions over and above the size of the **original building**.

The extensions hereby proposed, when taken cumulatively with other additions already added to the application property, represent a disproportionate addition to the original building and so inappropriate development.

Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

The extension and the property generally are visible from nearby public vantage points and other locations close by and will harmfully impact the openness of the Green Belt.

There have been no very special circumstances identified to justify the harm caused.

Therefore, the application is unacceptable and contrary to Policy SS10 of the North East Derbyshire Local Plan and the National Planning Policy Framework..