



SHEFFIELD CITY COUNCIL Planning & Highways Committee Report

Report of: The Interim Head of Planning

Date: 22 November 2016

Subject: Enforcement Report

Author of Report: Lee Brook

Summary:

Unauthorised alterations to building to form a dwellinghouse, unauthorised use of land & buildings to store building materials & building waste, Non-compliance with conditions attached to planning permission 13/03412/FUL, unauthorised erection of an advertisement

Little Intake Farm, off Woodhead Road

Recommendations:

That the Acting Director of Development Services or Interim Head of Planning: Chief Planning Officer be authorised to take any appropriate action including if necessary, enforcement action and the institution of legal proceedings to secure (i) the removal of the unauthorised harmful alterations to the barn, (ii) cessation of the use of the land and buildings for storage of building materials and building waste, (iii) compliance with the approved plans and conditions of planning permission 13/03412/FUL and removal of the advertisement board from the field adjacent to Woodhead Road.

The Interim Head of Planning : Chief Planning Officer is designated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

Background Papers:

Category of Report: OPEN

ENFORCEMENT REPORT

UNAUTHORISED ALTERATIONS TO BUILDING TO FORM A DWELLINGHOUSE, UNAUTHORISED USE OF LAND AND BUILDING FOR STORAGE OF BUILDING MATERIALS, NON COMPLIANCE WITH PLANNING PERMISSION 13/03412/FUL AND UNAUTHORISED ERECTION OF AN ADVERTISEMENT.

LAND AT INTAKE FARM, OFF WOODHEAD ROAD, GRENOSIDE

PURPOSE OF THE REPORT

The purpose of this report is to inform Committee Members about breaches of planning control and to make recommendations on any further action required.

1. BACKGROUND

- 1.1 The Council's Private Housing Standards, (PHS), received a complaint in March 2016 about the poor standard of living accommodation at a converted barn at the site referred to as Little Intake Farm. The building, or part of it had been recently leased to the complainant for ten years as living accommodation. Officers in that service advised the planning enforcement officer that the accommodation was not up to standard. The initial visit by the planning enforcement officer on 16/3/16 revealed that tenants had quit and the building was now unoccupied.
- 1.2 This visit revealed other breaches of planning control, which are all the focus of this report. These include unauthorised alterations to the barn and non-compliance with plans and conditions attached to planning permission ref 13/03412/FUL, (if implemented – discussed later in the report), which was granted conditionally at the planning committee on 13th May 2014 for 'Change of use from grazing land to caravan and campsite, conversion of redundant agricultural buildings to create a reception area, indoor play area and Shire Horse stud area.' An advance sign has also been erected on Woodhead Road without advert consent.
- 1.3 Research shows that the land was used for camping for a short period of time at least. There is a website for 'Little Intake Farm Camping' and a separate independent camping booking website, 'pitchup.com' shows 7 reviews by customers. This was around the time of the Tour de France in July 2014 but there is no evidence of activity since then and the lack of facilities at the site is not conducive to camping there.

- 1.4 This property is a 2.6 hectare site surrounding the 'Little Intake Farm' in Grenoside, wholly within the Green Belt and surrounded by woodland. The site is approximately 1.55km from the old Woodhead Road, accessed from a long track via a Forestry Commission car park and track. There are four buildings here; a modern stone barn, a modern stable block and two more modern sheds. The stone barn is 15m in length by 8.1m width and is two storeys high with a gross external area of 130.5sq metres. Adjacent to the barn is a stable block and the remains of a derelict building. The two sheds are both 23m x 12.2m and are also two storeys in height.
- 1.5 The planning permission, ref.13/03412/FUL, was to change the use from grazing land to a caravan and campsite. Permanent caravan pitches are not included. The barn is proposed for conversion to a reception and information centre at ground level with accommodation for a site manager at 1st floor level comprising a kitchen, lounge and two bedrooms within the roof space. This includes some exterior alterations to the building. One of the existing sheds is shown to be converted to an indoor play area, (shed 1) to include a climbing wall and indoor play equipment with the other shed, (shed 2), to be an amenity block. This requires the installation of new doors and windows. The stable block is shown to remain as a stable block.
- 1.6 A letter dated 20 April 2016 was sent to the owner advising that the planning permission was not valid unless all the conditions were complied with in full. It also addressed the unauthorised changes to the barn. No response has been received from the owner.

2. THE BREACHES OF CONTROL IDENTIFIED

- 2.1 The breaches of planning control identified are:
- (i) Unauthorised alterations to the barn. Glazing has replaced the old metal roller shuttered entrance on the front elevation, instead being filled in with the approved natural stone shown on the approved plan. This glazing is two stories high and comprises French doors surrounded by large panels of windows. On the rear elevation, 1st floor and 2nd floor French windows are added, in breach of approved plans under the planning permission 13/03412/FUL, which shows a solid wall. This can be viewed as a breach of this planning permission or as a standalone breach of planning control if the planning permission is deemed to be not implemented.
 - (ii) Non-compliance with eight conditions attached to planning permission 13/03412/FUL, including six pre-commencement conditions covering sewage treatment, site layout / footpath diversion, arrangements for operating the Forestry Commission track that serves as the access, hard and soft landscaping and bat roosting provision within buildings
 - (iii) Partial use of Shed 1 and outside areas for storage of building materials and scaffold parts.

- (iv) Non-compliance with approved plans for Shed 1 and Shed 2
 - (v) Deposit of waste building materials on the land.
 - (vi) Large unauthorised advertisement, off-site, on Woodhead Road
- 2.2 The report from Private Rented Standards about the barn shows it was being used as living accommodation on a long term lease in connection with stabling of horses on site. This would also have been a breach of control, condition 13, which states *'The occupation of the living accommodation in the barn shall be restricted to person(s) employed at the caravan and camp site and shall not be used as a separate dwelling'*.
- 2.3 It can be argued that the planning permission 13/03412/FUL has not been implemented at all because pre-commencement conditions have not been complied with. The implementation of the use is quite flimsy however, on the basis that very little physical change has occurred to the land and the buildings, other than the addition of a plastic outdoor water tank with primitive pot washing area, a site wheelie bin to the site of the track, a fire blanket attached to a freestanding post, (these have now been removed). The use would be acceptable in principle subject to compliance with the planning permission referenced above, which would require substantially more work. There is little evidence that camping has taken place since the initial period when the Tour De France passed through the area. Subsequent reviews posted on the internet, around that time are highly critical of the site, particularly the lack of facilities, (which have planning permission but are not provided).
- 2.4 The barn alterations and the use of a building and land for storage of building materials are unauthorised regardless of whether the permission has been implemented or not. The recommendation in this report covers both possibilities.
3. ASSESSMENT OF THE BREACHES / POLICY
- 3.1 Within the adopted Sheffield Unitary Development Plan (UDP), the application site is designated as part of the Green Belt and is also within an Area of High landscape value. The adjoining woodland to the east is designated as an Area of Natural History Interest.
- 3.2 UDP policy GE1 says that development in the Green Belt will not be permitted, except in very special circumstances, where (amongst other things), it would lead to the encroachment of urban development into the countryside.
- 3.3 UDP policy GE2 seeks to protect and improve the Green Belt landscape. Those areas with generally high landscape value will be maintained and enhanced.
- 3.4 No new buildings were proposed in 13/03412/FUL, as the scheme is limited to converting existing farm buildings. The application, as

originally submitted did propose a new building but this was removed from the proposal later.

- 3.5 UDP policy GE4 says that the scale and character of development which is permitted in the Green Belt should be in keeping with the area and conserve and enhance the natural environment.
- 3.6 UDP policy GE8 deals with Areas of High Quality Landscape (AHQL) and seeks to protect and enhance good quality landscape.
- 3.7 UDP policy GE9 deals with the re-use and adaptation of rural buildings and this is permitted particularly where this would help to diversify the rural economy provided that the existing building is capable of such conversion without significant alteration or extension, there would be no harm to the countryside, any harmful impacts of the existing building are remedied and any historic character would not be compromised.
- 3.8 Core Strategy policy GE71 seeks to protect the Green Belt and endorses both NPPF and UDP policies. All of this site is within the Green Belt and is designated an Area of High Landscape Value in the Sheffield Unitary Development Plan. This guidance is set out earlier in this report but UDP policies GE1, GE2 and GE4 and Core Strategy policy CS71 are particularly relevant.
- 3.9 Policy guidance says that exceptional circumstances need to be demonstrated to allow new development so that policy criteria might be satisfied. In this case, the essence of the planning application to change the use of the existing buildings and the surrounding land to a campsite with associated facilities, employee flat, improvements to the appearance of the buildings, improved access track, addition of a sewage facility etc was deemed to be acceptable judged against the National Planning Policy Framework and Local Plan policy.
- 3.10 The unauthorised use of the land and one of the sheds for the storage of building materials and the unauthorised alterations to the barn, highlighted during the enforcement officer visit to investigate the complaint received by Private Housing Standards area assessed separately..
- 3.11 Planning Permission 13/03412/FUL.
Change of use from grazing land to caravan and campsite, conversion of redundant agricultural buildings to create a reception area, indoor play area and Shire Horse stud area – granted conditionally May 2014.
- 3.12 The assessment in this report deals with the new matters arising, which are the barn alterations and the use for storing building materials and the advert. The planning permission 13/03412/FUL condition breaches relate to issues already considered and approved by committee.
- 3.13 BARN. Approved alterations to the barn include minimal external changes amounting to the replacement of the existing large roller shutter door with stone work to block up that large front entrance. Internal alterations included the change the use of the barn to

incorporate a ground floor information centre / reception connected with the use of the site for caravan and camping and a first floor and roof space living accommodation for the manager employed on site.

- 3.14 The photos in the appendix to this report show deviations from the approved plan on both the front and rear elevations of the barn. The entrance way has been changed into a large two storey high glass window incorporating a double opening door at the front instead of a stone wall. This is an unauthorised change, however it is not considered to be out of keeping as it is a feature often found in barn conversions in rural areas subject to the use of appropriate materials.
- 3.15 On the rear elevation of the barn two new french windows have been added, one at ground floor level and one at first floor. These are unauthorised and are considered to be unacceptable, being features that look alien to a rural barn and more akin a domestic look rather than that of a rural green belt setting. The first floor appears to be a double door opening without any safety rail such as a Juliet balcony. The initial views of the internal layout of this building, viewed from the outside through windows, appear to show that it would easily lend itself to be used as dwellinghouse as opposed to the approved reception office with flat over. A new dwellinghouse would be contrary to policy and would be unacceptable as a standalone development.
- 3.16 SHED 1 and SHED 2. The planning permission shows Shed 1, an existing building, to be a play area. At present, as shown in the photo appendix this is largely empty but it is used for storage of some miscellaneous building materials and equipment, such as ridge tiles, scaffold poles and coupling parts. Shed 2 is shown as an amenity block for the campsite. It is currently locked up, but it is clear from limited views in that it has at least two cars parked inside and is probably not an amenity block. The planning permission included improvements to the appearance of each of the sheds by removing their metal roller shutters and replacing them with stone work. Doors and windows are shown made of timber and slate roofs are indicated. None of the changes have been implemented.
- 3.17 CONDITIONS of 13/03412/FUL. Condition no.2 requires the development to be carried out in accordance with approved drawings. This has clearly not been done. The barn as discussed above differs from the approved drawings, as do both Shed 1 and Shed 2. The following details are not submitted for approval as required: Hard / soft landscaping, Sewage treatment, forestry commission gate operation, bat roosting provision within buildings. The condition that requires the living accommodation at the upper floors of the barn to be restricted to person employed at the camp site was being breached but that accommodation, although inadequate by Private Housing Standards criteria, is now vacated following their intervention by that service.
- 3.18 These conditions were approved by Members at the Committee of 13th May 2014 and are considered necessary and fundamental to the planning permission.

- 3.19 STORAGE OF BUILDING MATERIALS. On the land around the buildings there are building materials of various kinds stored on it, including stone materials, breeze blocks, red bricks. It would appear that most of these materials are unconnected to the development of the site in line with the planning permission referred to above. Shed 2 is largely empty but does have scaffold equipment stored within it and a small amount of building material. The land is general poorly maintained with deep vehicle tracks and signs of waste disposal and waste burning. Photos are attached to show these issues.
- 3.20 The use of the land around the Sheds for storing building materials is considered to be harmful urban encroachment into the green belt, which visually harms the high value landscape setting. It is considered to be contrary to this policy and causes harm to the visual amenity of the landscape. The use of the Shed1 and land around it for storing building materials is not considered to be an appropriate re-use of the building or an appropriate use of the land around it. It would also be in conflict with the planning permission for campsite use.
- 3.21 THE ADVERTISEMENT – WOODHEAD ROAD. The advert is considered to be visually harmful to the area, which is a rural and heavily wooded area north of Grenoside village. The sign is poorly designed and unsympathetic to its countryside setting. It requires express consent under the Town and Country Planning (Control of Advertisements)(England) Regulations 2007. No application has been submitted and it is unlikely that officers would recommend approval for the current display. See photo appendix.
4. REPRESENTATIONS
- 4.1 No complaints have been made. This came to officer attention during a site visit to investigate a complaint about living conditions at the barn.
5. ASSESSMENT OF ENFORCEMENT OPTIONS
- 5.1 Section 171C of the Town & Country Planning Act 1990, ('the Act') provides for the service of a Planning Contravention Notice, (PCN). It requires information about the suspected breach control and property ownership. It also gives an opportunity to meet with officers to make representations. Such a meeting can be used to encourage regularisation and/or discussions about possible remedies where harm has occurred. In this case any person/s with an interest in the land are known and regularisation of the development is not the course of action being recommended.
- 5.2 Section 172 of the Act provides for the service of an enforcement notice, (EN). In this case such a notice would require, (i) the removal of the French windows from the rear elevation of the barn and removal of the new window / door opening from the front elevation of the barn, (ii) cessation of the use of the land / buildings for storing builders materials and waste and (iii) Compliance with the approved plans and conditions of planning permission 13/03412/FUL.

- 5.3 It is an offence to display without consent, an advert that requires express consent under the Advert Regulations. A prosecution can be brought under Section 224(3) of the Town and Country Planning Act 1990, (the Act) in such circumstances. Legal proceedings could be brought against the illegal display, on Woodhead Road, advertising the Little Intake Estate.
6. EQUAL OPPORTUNITIES
- 6.1 There are equal opportunity benefits arising from this report. In co-operation with the business owner an improved access design could be achieved if the structure is replaced, subject to planning permission.
7. FINANCIAL IMPLICATIONS
- 7.1 There are no financial implications arising from the recommendations in this report.
8. RECOMMENDATION
- 8.1 That the Acting Director of Development Services or Interim Head of Planning : Chief Planning Officer be authorised to take any appropriate action including if necessary, enforcement action and the institution of legal proceedings to secure (i) the removal of the unauthorised harmful alterations to the rear elevation of the barn and the reinstatement of the wall, (ii) cessation of the use of the land and buildings for storage of building materials and building waste and the removal of the said materials and waste, (iii) should the extent permission be required to commence, compliance with the approved plans and conditions imposed on planning permission 13/03412/FUL and (iv) removal of the advertisement board from the field adjacent to Woodhead Road.
- 8.2 The Interim Head of Planning: Chief Planning Officer is designated to vary the action authorised in order to achieve the objectives hereby confirmed, including taking action to resolve any associated breaches of planning control.

SITE PLAN

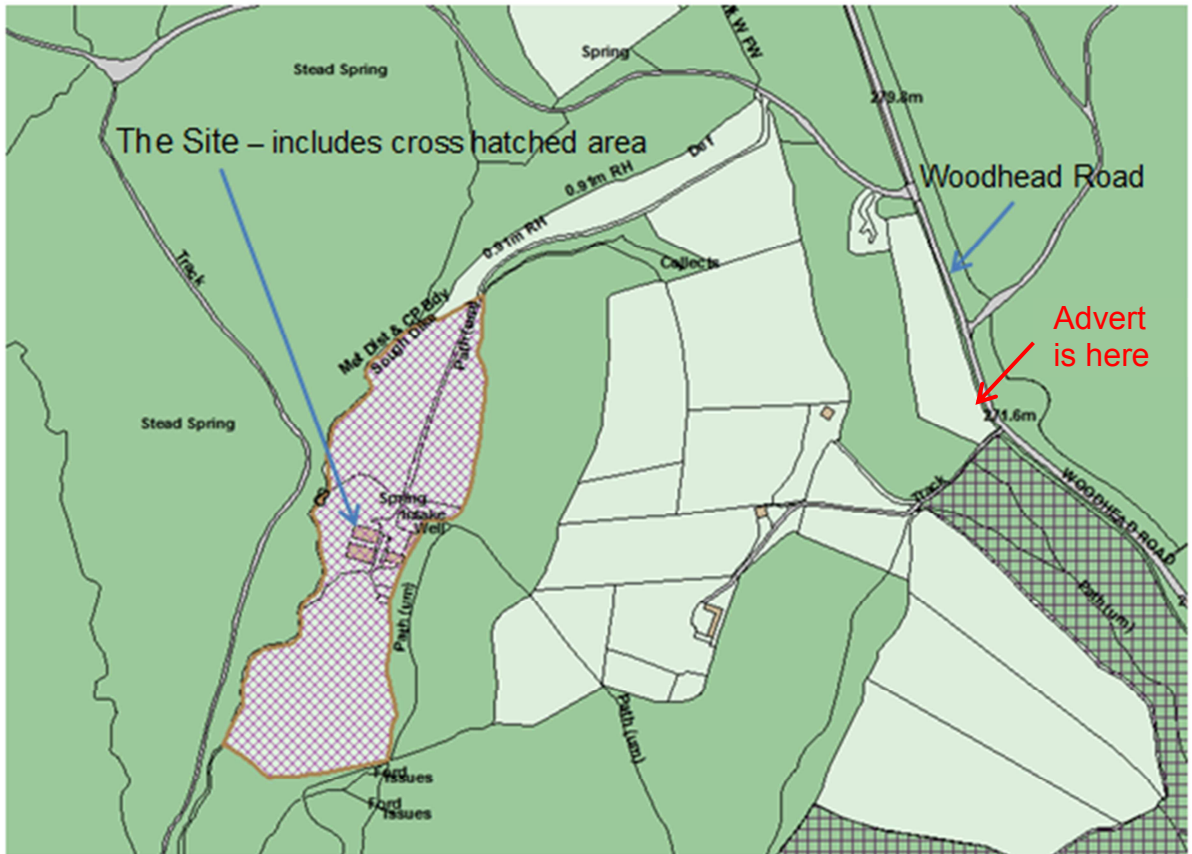
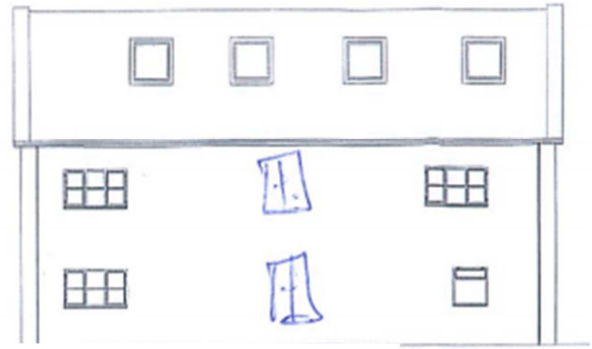
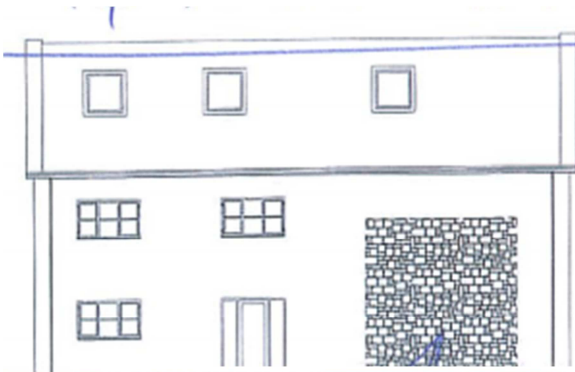


PHOTO APPENDIX





FRONT

The Inside of Shed 1





These photos show:

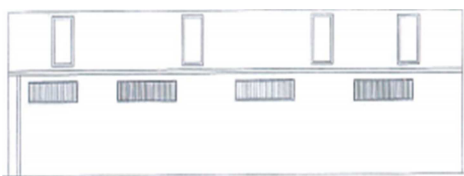
- Stored building materials in the open
- Waste material tipped
- Builders paraphernalia within Shed 1
- The illegal sign on Woodhead Road

They also show the site is not in use as a camp site in accordance with pp13/03412/FUL





APPROVED PLANS 13/03412/FUL

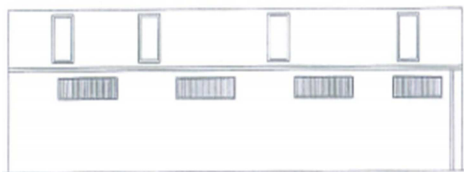


SIDE ELEVATION SHED 1



REAR ELEVATION SHED 1

doubtful that shed 2 equipped



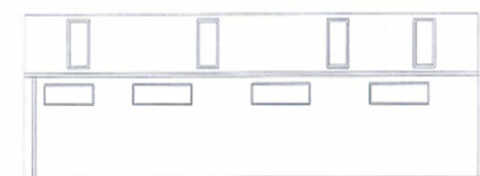
SIDE ELEVATION SHED 1



FRONT ELEVATION SHED 1



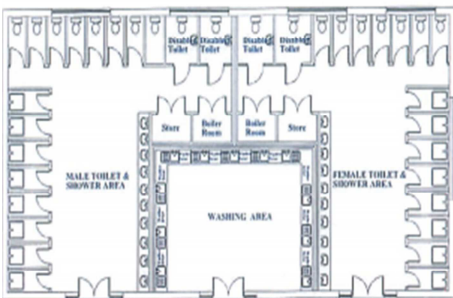
SHED 1.
CHILDREN'S
PLAY AREA



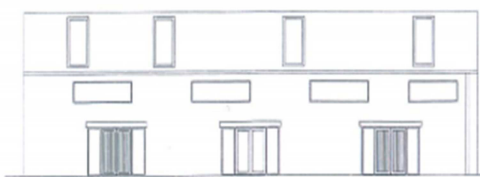
SIDE ELEVATION SHED 2



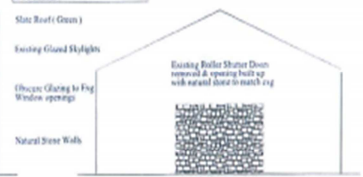
REAR ELEVATION SHED 2



SHED 2. AMENITY BLOCK



SIDE ELEVATION SHED 2



FRONT ELEVATION SHED 2

NOTE:
All new window and door openings are to be timbered.

Slate Roof (Green)

Existing Glazed Skylights

Opaque Glazing to Eng Window openings

Natural Stone Walls

Existing Roller Shutter Door removed & opening built up with natural stone to match r/g

Flo Churchill
Interim Head of Planning: Chief Planning Officer

22 November 2016

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