2022/1234 & 2022/1238

Applicant: Rotary Developments Ltd

Description:

2022/1234 - Alteration, restoration and extension of existing farmhouse, farm cottage and conversion and extension of existing barns to form 4no dwellings, erection of 4no new dwellings and demolition of existing portal framed barn together with associated landscaping and parking (8no. new dwellings in total)

2022/1238 - Alteration, restoration and extension of existing farmhouse, farm cottage and conversion and extension of existing barns to form 4no dwellings, erection of 4no new dwellings and demolition of existing portal framed barn together with associated landscaping and parking (8no. new dwellings in total) (Listed Building Consent)

Site Address: Woodhead Farm Cottage, Woodhead Lane, Blacker Hill, Barnsley, S74 9SX

One letter of support and no letters of objection have been received.

Site Location & Description

The site is allocated as Green Belt in the Local Plan and sits to the South East of the settlement of Blacker Hill. Adjoining the Western boundary of the site is a recreation ground with all other boundaries adjoining agricultural fields. There is a vehicular access to the site from Wentworth Road to the South West and there is also access via a track from Woodhead Lane to the North East.

The site itself consists of;

- a late 18th Century, grade II listed, 2 storey farmhouse (listing re: 1286926) located to the South East of the site.
- an 18th century farm cottage which is a non-designated heritage asset. It is attached to barns 1 and 2 to create a 'T' shaped building.
- Barn 1 which is a stone built former cart shed/stable block located to the North West of the farmhouse.
- Barn 2 which is stone built and more recently used as a workshop. It is attached to the Northern elevation of barn 2.
- Barns 3 and 3a which are stone built adjoining buildings. They are located to the North West of barn 2 and North East of barn 5.
- Barn 4 which is a detached stone barn with corrugated roof. It is located to the North West of the site.
- Barn 5 which is a large, modern portal framed shed located to the West of the site.
- 3no. storage containers are located to the south of barn 5.

The site is located adjacent to public rights of way including 'Footpath 25 Wombwell' which runs along the Northern boundary and connects Blacker Hill with Wombwell woods.







Proposed Development

The applicant seeks both planning permission and listed building consent for the works outlined below;

- The restoration of Woodhead Hall Farmhouse. External works are limited to restoration and repairs. However, a single storey extension is proposed off the Western elevation in order to create a kitchen/family room. The extension will be stone clad with full height glazing and a flat roof. External timber windows and doors are to be repaired and restored.
- The restoration of Farm House Cottage which includes restoration of the façade and new windows and doors within the existing openings. Internal reconfigurations is also proposed but it will remain a 5 bedroom property.
- Barn 2 would be converted to a 4 bedroom dwelling. The majority of the existing openings would be utilised but some new openings are proposed, including conservation roof lights.
- Barn 1, which is curtilage listed, will be converted into a workshop associated with the main grade II listed farmhouse.
- Barn 3 would be converted to a 2 bedroom dwelling. A single storey extension is proposed with a timber clad roof off the northern elevation.
- Barn 3a would be converted to a 3 bedroom dwelling. A 2 storey extension is proposed to the north located over the footprint of an historic barn. Stone work would be utilised to the ground floor but vertical timber cladding is proposed above to identify the new structure from the old. Some more extensive restoration work is required to the external envelope of the building due to the dilapidated state. The barn currently does not have a roof so a new timber clad structure with conservation roof lights is proposed.
- Barn 4 would be extended off the Northern elevation and converted to a 4 bedroom, 2 storey dwelling. Again due to the dilapidated nature of the existing building more extensive restoration works are required. Existing stonework would be retained to the lower parts of the new building with walls above clad in vertical timber. The barn currently has no roof so a new one will be created and timber clad.
- 4no new dwellings are proposed on the site. House number 5 would be attached to barn 4 (house 4) and follows the pattern of historic development. It would be a 2 storey, 4 bedroom dwelling. The walls would be clad in vertical timber.
- In addition to house 5, 3no. cottages are proposed. Cottages 1 and 3 would have 3no bedrooms and cottage 2 would have 2no. bedrooms. The cottages would have vertical timber clad walls.
- The applicant also proposes to demolish the existing modern portal framed barn and also remove the 3no. metal storage containers off site.
- A garage block consisting of 2no double garages is proposed to the West of the site adjacent to a parking court and turning/manoeuvring area.

In terms of access to the site, it is proposed to serve 5no. dwellings off the existing access point which leads off Wentworth Road and 5 no. dwellings off the reinstated access off Woodhead Lane. Woodhead Lane is proposed to be widened and resurfaced.

The drystone walls throughout the site are proposed to be repaired and rebuilt and new soft landscaping is proposed throughout the site.





Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site

allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Local Plan Allocation – Green Belt & Dearne Valley Green Heart

Relevant Local Plan Policies include;

SD1 Presumption in favour of Sustainable Development

LG2 The Location of Growth

GD1 General Development

GS1 Green Space

H1 The Number of New Homes to be Built

H2 The Distribution of New Homes

H5 Residential Development on Large Non-allocated sites

H6 Housing Mix and Efficient Use of Land

H7 Affordable Housing

HE1 The Historic Environment

HE3 Developments affecting Historic Buildings

T3 New Development and Sustainable Travel

T4 New development and Transport Safety

D1 High Quality Design and Place Making

Poll1 Pollution Control and Protection

BIO1 Biodiversity and Geodiversity

CC1 Climate Change

CC2 Sustainable Design and Construction

CC4 Sustainable Drainage System (SuDS)

RE1 Low Carbon and Renewable Energy

I1 Infrastructure and Planning Obligations

SPD's

Those of relevance to this application are as follows:

-Design of Housing Development
-Parking

-Sustainable Travel
- Barn Conversions

Other

South Yorkshire Residential Design Guide
New Strategic Housing Market Assessment (July 2021)

NPPF (Dec 2023)

The NPPF sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Paragraphs of particular relevance to this application include:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 60 - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

Para 66 - Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership

Paras 74-77 - reiterates the importance of a deliverable supply of homes to meet the needs of the district.

Para 96 - Planning policies and decisions should aim to achieve healthy, inclusive, and safe places

Para 115 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 131 - The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Para 136 - trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.

Para 139 - 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Para 152 - Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para 153- When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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.

Para 200 - 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.'

Para 203 - 'In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.'

Para 205 - 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation…. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

Para 206 - 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'

Para 208 - 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

Para 211 - 'Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.'

Consultations

SYAS – no comment

Yorkshire Water – No objection subject to conditions

Highways DC – some reservations regarding the sustainability of the location of the site but acknowledge that the site previously had a residential use, as such, no objections subject to conditions.

Public Rights of Way – Raised a number of questions and set out conditions if approval was recommended.

SYMAS – Initially objected due to lack of Coal Mining Risk Assessment but objection withdrawn following receipt of additional information.

Coal Authority – Initially objected due to lack of Coal Mining Risk Assessment but objection withdrawn following receipt of additional information.

Biodiversity Officer – No objection following the receipt of additional information and subject to conditions and informatives.

Conservation Officer – No objections following amendments to the design of the new build properties.

Drainage – No objection subject to condition

Waste Management – Waste Management is to be carried out by a private company

Superfast South Yorkshire – no objections subject to relevant infrastructure being installed

Ward Members – No comments

Representations

The application was advertised by way of a site notice and press notice with immediate neighbours being notified by letter (43no. in total). 1 letter of support has been received.

Assessment

Principle of Development

The site is located within the Green Belt. The NPPF states that within the Green Belt *'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. It goes on to state *'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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.'*

The restoration of the existing hall and cottage is considered acceptable in principle, subject the proposed alterations and extensions being acceptable in terms of design. Furthermore, Green Belt policy considers the conversion of existing buildings and associated extensions/alterations, that are not disproportionate, would be acceptable in principle subject to complying with relevant policies and guidelines. However, the proposed erection of 4no. new dwellings could not be considered an exception to Green Belt policy in line with part (g) of paragraph 154 of the NPPF as the dwellings would result in a greater impact on the openness of the Green Belt, despite being located on the historic footprints of buildings since demolished. As such, very special circumstances (VSC) will have to be demonstrated by the applicants. Whilst there is no silver bullet that would automatically constitute 'VSC', caselaw has provided guidance that VSC's may result from a single factor or a culmination of material planning considerations. In this case, the applicants are using enabling development as special circumstances and to justify the new builds. The Local Planning Authority have assessed the merits of this argument, together with all other material planning considerations.

Enabling development, as outlined in Historic England's guidance 'Enabling Development and Heritage Assets', is in itself development which is not in compliance with local and/or national planning policies and would not normally be given planning permission except for the fact that it would secure the future conservation of a heritage asset. Paragraph 9 of the guidance goes onto state that the case for enabling development rests on their being a conservation deficit, which is defined as 'the amount by which the cost of repair (and conversion to optimum viable use if appropriate) of a heritage asset exceeds its market value on completion of repair and conversion, allowing for all appropriate development costs'. Whether special circumstances exist due to enabling development will be explored under the headings below.

Paragraph 214 of the NPPF recognises that conflict with planning policies may be justified if the development proposed would secure the future conservation of the asset(s) and the wider benefits outweigh the disbenefits of not adhering to those policies. In such cases, enabling development is an entirely legitimate planning tool.

Even when it is clear that enabling development is the only way to secure the future conservation of the heritage asset, a decision-maker will still need to assess whether the heritage and any other public benefits it would secure would outweigh the disbenefits of departing from planning policy (NPPF, paragraph 214). Considerations in that assessment will include the importance and significance of the heritage asset(s), the nature of the planning policies that would be breached, the severity of the breach or breaches, whether the asset(s) have been subject to deliberate neglect and giving great weight to the asset's conservation (see NPPF paragraphs 200 to 214).

Although the site is in a backwater location and surrounded by fields it is located within the Hoyland Principle Town Area and also on the edge of Blacker Hill. The significance of the site being located in the Hoyland Principal Town area is that is a priority location to accommodate growth and new residential development in spatial and sustainable development terms making it compliant with

policies LG2 and H2. It would also be a windfall site, given it is not allocated for housing, and would contribute modestly to the Councils overall housing targets.

In addition to the above all new dwellings must ensure that living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing. In addition, development will only be granted where it would maintain visual amenity and not create traffic problems/reduce highway safety. An assessment of the proposals against those criteria is set out within the sections of the report below:-

Conservation & Design

Although the proposed development would not entail public access to the Listed Building, its positive effects through preservation, restoration and enhancement would nevertheless constitute public benefits. The Government's Planning Practice Guidance (PPG), states that benefits do not always have to be visible or accessible to the public in order to be genuine public benefits and may include heritage benefits, such as sustaining or enhancing the significance of a heritage asset or the contribution of its setting.

The proposed development would meet the requirements of the NPPF insofar as it states that heritage assets are an irreplaceable resource, which should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Consequently, mindful of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is clear the proposed development would preserve the special interest and significance of the Listed Building.

Regarding the significance of the existing buildings, Woodhead Hall is principally listed at grade II. The Heritage Impact Assessment (HIA) makes a convincing case for why the outbuildings (once curtilage, ancillary and functionally related) are not now severed and not listed under the Act (LB). This may be arguable, but designated or undesignated, these buildings all fall within the setting of the listed building and contribute to the historic significance of the site. The HIA echo's this sentiment and describes the individual and collective significance of the buildings and setting. Listing status and individual historic significance aside, the Conservation/Listed Building Officer agrees that the existing remnants of the two northern courtyards could (if repaired) contribute and enhance the setting of Woodhead Hall. As such, the sensitive repair and re-instatement of both the existing and dilapidated buildings could enhance and better reveal the overall site and setting. Describing and commenting on every aspect of the retention and repair of the existing buildings is not practical within this report, however, individual elements of the proposal are summarised below:

Woodhead Hall

The intention appears light touch and alterations are limited to a contemporary flat roofed extension attached to the southwest wall within the walled garden. As a form this is a very recessive extension, being contained by the side garden wall and would be relatively invisible from the north. Openings follow the general proportions of those on the listed building, and this allied to high quality materials that sympathise with those of The Hall mean the extension should be a harmonious addition. Other works include the repair and repointing of the walls in lime, and the restoration repair and redecoration of the existing timber windows. Internally, changes are again minimal, and the focus is re-purposing and renovation of spaces with minimal intervention. Given the state of preservation and overall originality of the building the approach to repair is welcomed.

Farm House Cottage & Attached Barns 1 & 2

Farm House Cottage is an interesting building, primarily for the internal and earlier medieval cruck blade, the timber / plaster dividing wall and first floor structural timber beams and fabric. It is assumed that this is a fragment of an earlier building, later incorporated into the C19 building we see today. However, the later C18 structure its fabric, envelope, and overall appearance (including the Cart Shed / Barn 1 & 2) contribute to setting of The Hall. The proposed alterations are acceptable with few changes beyond the sensitive repair and restoration of the external envelope. This includes, timber windows and doors, stonework repair and repointing, cast iron rainwater goods, sandstone roof slates that are retained and repaired. The conversion of Barn 1 to a workshop and Barn 2 (former dairy) as residential is also acceptable. The proposed plans show a similarly sympathetic approach to the repair and conversion of the building as with the other buildings.

Barns 3, 3a, and 4

These barns are in varying states of dilapidation with Barn 3a, being in the most advanced state of disrepair. The proposal seeks to convert and reinstate Barn 3 and 3a, with a contemporary extension attached to the northern gable. In general terms the Conservation Officer is comfortable with this approach. The restored sections are proposed to be part clad in timber boarding to echo Yorkshire Boarding treatment often seen in agricultural buildings. This is accepted as a way to differentiate the existing with the restored elements.

New build elements

It would be preferable from a heritage perspective to repair and conserve the existing buildings (included the dilapidated structures) without the need for new development. This is because although the intention is to re-use historic footprints of now lost buildings, we have no clear idea of their detailed design or appearance. The new dwellings as proposed are a mixture of contemporary and traditional in appearance. However, the repair and reinstatement of the existing buildings on the site would not occur without the proceeds of the new build dwellings. Following some amendments to the design and materials of the new builds, they now sit comfortably alongside the existing buildings and would not harm the setting of the listed building, especially as they sit on the historic footprint of former buildings.

In addition, the improvement to the setting overall by removing the portal framed barn, the landscape and boundary treatments is supported.

Each property has a combination of soft and hard landscaped amenity spaces. Areas of extensive grassland and landscaping beyond the private ownership boundaries of individual properties is to be maintained by a group management company for all residents. Restrictions on the use of this area will ensure that the important wider visual appearance of the collection of buildings is retained.

It should also be noted that as part of this scheme the applicants propose to remove the modern portal framed barn and metal containers which arguably distract from the historic layout and context of the site.

Given the comments above, the proposed development would conserve and/or enhance the significance of the listed building, in accordance with Local Plan Policies D1 and HE1.

<u>Green Belt & Special Circumstances</u>

As outlined above, the site is located within the Green Belt. Part of the proposal includes the alteration, restoration and extension of the existing farmhouse and farm cottage, plus the conversion and extension of the existing barns to form 4no dwellings. In principle, the conversion of buildings and their extension or alteration, provided that it does not result in disproportionate additions over and above the size of the original building, is acceptable within the Green Belt.

However, the applicants are also proposing 4no. new build dwellings on the site which, despite being located on the historic footprints of since demolished buildings, is considered inappropriate development within the Green Belt, as set out in NPPF paragraph 152. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 states '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. Paragraph 153 goes on to state that when considering any planning application, local planning authorities should ensure
that substantial weight is given to any harm to the Green Belt.

As outlined in the principle section above, the 'other considerations' in this application, as proposed by the applicants, is enabling development. The applicants argue that the proposal as it stands is the minimum level required in order to create a viable scheme. Central to the scheme is the restoration of the Grade II listed farmhouse in order to create a family home that meets modern living standards. The level of restoration required to that building alone is substantial and given the building would remain in private ownership and is not Grade I or II* listed there is no funding available to subsidise the costs.

The applicants submitted a Financial Viability Appraisal in order to justify the enabling development. This was assessed by an independent Viability Assessor who found that the refurbishment of the existing Woodhead Hall Farm would result in a negative residual land value of (minus) -£142,366 which is significantly below the minimum target land value of £410,000, as such, a simple restoration would be unviable and there is a conservation deficit resulting in the requirement of enabling development to ensure the heritage assets are protected. The enabling development scenario proposed for 10 dwellings in total generates a residual land value of £388,572 which, as this is close to the minimum site value, is considered to be (just) viable.

The independent viability assessor concluded in their report;

"we therefore agree with the applicant that there is a legitimate enabling development argument here (i.e. that enabling development is required here in order to protect the existing asset. Furthermore, we consider the proposed scheme comprising 10 units to be reasonable and the density not overstated. We find that this is a reasonable level of enabling development to ensure the scheme can be delivered. However, any number of dwellings above this level would be deemed to be excessive and not supported".

Given the comments above, it is considered that a simple restoration would be unviable and there is a conservation deficit, as such, enabling development to ensure the heritage assets are protected is required. The overall balance of benefits against the disbenefits of breaching other policies is a matter that will be explored in greater depth in the overall planning balance below.

The proposed development is anticipated to have few, if any, long term adverse effects on the landscape and views of the study area. The mature setting and farmyard complex character of the site and its immediate environs suggests that there is little requirement for substantial landscape 'screening'. However, it is anticipated that the existing mature trees and hedgerows would be retained, maintained and managed to ensure better screening and longevity.

In addition to the retention and management of existing trees it is also anticipated that additional trees, shrubs and hedgerows will be planted to enhance the existing screening and further limit any adverse visual effects.

Residential Amenity

Given the site is surrounded by fields and a recreation ground, the closest residential properties within Blacker Hill are over 170m to the West. Upper Wood Head Farm which contains a small number of residential properties is located over 250m to the North. As such, the proposed development would not have a significant impact on the amenity of the existing residents. It is noted that there would be additional activity along the accesses, however, the Eastern access boarders fields and the Western access, although it does run passed existing dwellings, already exists and serves the existing buildings on the site.

In terms of the amenity of the future residents of the scheme, it is noted that some of the separation distances between habitable room windows fall short of the requirements of SPD 'Design of Housing Development'. However, some of these relationships already exist, such as between the farmhouse and the cottages, in addition the dwellings are either converted from existing buildings or proposed on the footprints of historic buildings on the site. Some of the short falls are considered an acceptable compromise in order to maintain and enhance the history and character of the site. Furthermore, residents moving into the scheme would be aware of the relationships, it would not be imposed upon them.

The proposed dwellings have adequate internal spacing and generally accord with the South Yorkshire Residential Design Guide, they also all have adequate garden areas in accordance with the SPD. There is also access to shared outdoor areas which would be maintained by a management company, as well as the access to the recreation ground adjacent to the site and the numerous public footpaths which lead to the woodland to the East.

It is noted that the Dearne Valley Parkway sits to the South of the site which generates noise. However, the Farmhouse is over 200m from the road and is already a residential property, the proposed new dwellings are further from the road and would not be significantly impacted.

Furthermore, the road sits on a lower land level than the site and is lined by tree belts which aid to reduce noise.

Given the comments above, residential amenity for both existing neighbouring residents and the future residents of the scheme would be acceptable and accord with Local Plan Policy GD1.

Highway's considerations

The proposal was subject to pre-application discussions where the Councils Highways Officer raised a number of concerns. Issues included a substandard access servicing more than five dwellings, bin collection points being an unacceptable distance from the properties, and sustainable transport methods not realistically being available to the residents and therefore creating a reliance on private cars for everyday journeys.

It is now intended to use two access points, both are narrow tracks that would not be up to adoptable standards. Each would service five dwellings in total, in accordance with the South Yorkshire Residential Design Guide. Private drives serving more than one dwelling should be a minimum of 4.5m in width, however, in this case, due to third party land, it is not possible to achieve this width for the entire length, instead regular passing places are proposed to allow the safe movement of vehicles in two directions.

It is noted that there is a significant distance from the development to the adopted highway which would be too far for residents to move wheelie bins and recycling containers. Furthermore, the Councils bin lorries would not enter a private drive and would only collect from the side of the adopted highway. To address this issue the dwellings would be serviced by a private waste company who could enter the site and collect the bins.

Whilst concerns remain from Highway DM in terms of the sustainability of the site, given the distance to local amenities, it is also apparent that these farm buildings are already/previously used as residential properties and that this application would increase the use rather than introduce an entirely new area of residence. Consequently, on balance the proposed development would not have an unacceptable impact on highway safety grounds, or that its residual cumulative impacts on the road network would be severe- and that the highway aspects of the appeal scheme would therefore not weigh against it in the overall planning balance. Therefore, it is considered to meet the 'tests' of NPPF para 114 in this regard.

Ecology

The application is accompanied by an Ecological Impact Assessment and a Defra metric. The report identifies ecological features, and potential impacts and effects and recommends proportionate avoidance/mitigation/compensation strategies, followed by enhancements. The main ecological features associated with the site are mainly the native hedgerow, mature trees and green infrastructure as well as habitat for bats, barn owls, badgers, birds and reptiles.

In terms of Biodiversity Net Gain, current policy requires no net loss on the site until a 10% net gain will be required in 2024. However, the Defra metric demonstrates a net gain in habitat of 10.46% and an increase in hedgerow units of 89.86%. Therefore, not only does this proposal meet current policies and guidelines, it also exceeds the 2024 requirements.

Given the comments above, the Councils Biodiversity Officer has raised no objections subject to suitably worded conditions. As such, the proposal complies with Local Plan Policy Bio1 'Biodiversity and Geodiversity'.

Trees

The application is accompanied by an Arboricultural Report which assesses most of the mature trees, particularly at the sites perimeter, as being either high or moderate landscape value (A2 or B2). Only a few over mature trees were assigned a lower retention category (C or U). The report also confirms that none of the trees on site will require removal to accommodate the development. However, it does recommend that a small number of category U trees are removed to minimise risk to people and property during construction and post development. Dead tree T1 at the western site entrance is to be retained as dead wood habitat, with just works to reduce it's overall height to 4m.

The works set out in the report, alongside the additional soft landscaping works proposed, are considered acceptable for the development and meet the requirements of Local Plan policy BIO1.

Public Rights of Way

The site is located close to Public Rights of Way. 'Footpath 25 Wombwell' runs along the northern boundary of the site, and along part of the original access track off Woodhead Lane; connecting Blacker Hill with Wombwell Woods via the recreation grounds. A further footpath network (25 Wombwell and 34 Worsbrough) loops round from footpath 25 (north of the site) towards Blacker Hill. Footpath 25 leads into Wombwell Woods which has a number of informal paths.

The Public Rights of Way team have raised no objections to the scheme but have provide guidelines and advice regarding access control, temporary closures and diversions.

Historical coal mining risks

The proposed development is located in a Coal Authority coal mining high risk referral area due to the presence of shallow coal and former opencast coal workings.

The Coal Authority records indicate that part of the application site lies within the boundary of a site from which coal has been removed by surface mining (opencast) methods. In addition, the western part of the access route lies within an area of probable historic shallow coal mining, and thick coal seams inferred to outcrop at or close the surface of the eastern and western parts of the site that may also have been historically worked at shallow depths. These coal mining features could affect the safety and stability for the proposed development; specifically existing Barn 5 and the improvements to the access roads.

The Coal Authority and SYMAS previously objected to the scheme due to the lack of Coal Mining Risk Assessment, however, the applicants have since submitted a letter (dated 3 February 2023) from Lithos Consulting Ltd. The letter confirms that all built development above ground level is outside the defined Development High Risk Area, but that the proposed road widening and parking to Barn 5 may be implicated upon by coal mining legacy. Despite this, the content of the letter confirms that rotary drilling to identify any remedial/mitigatory measures would not be justified, specifically owing to the very modest nature of development, which would meet with the Coal Authorities exemption criteria.

Notwithstanding the above, the Coal Authority welcomes the precautionary measures as detailed on page 5 of the letter to mitigate any low risks that may be posed. Given the nature of development within those parts of the site within the defined Development Risk Area, the Coal Authority considers this proportionate.

Following the receipt of the letter and associated mitigation works, both the Coal Authority and SYMAS have withdrawn their objections.

Drainage

A Flood Risk Assessment and Drainage Strategy has been submitted alongside the application. The site is in an area identified as having a low probability of flooding on the EA Flood Map and is located in Flood Zone 1.

The Councils Drainage Officer and Yorkshire Water have not raised any objections to the proposals subject to conditions.

Planning Balance

The NPPF establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any Green Belt harm in the consideration of any planning proposal and "'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". This is a very high hurdle for a development proposal to overcome.

It has been established that new build element of the scheme would constitute inappropriate development and that it would result in an erosion of the site's openness-accordingly these are matters that attract substantial weight in the planning balance. However, the very significant public benefit that would occur as a result of the proposed development in terms of the conservation of the Grade II Listed building and the associated cottages and outbuildings/barns is a matter which clearly outweighs the scheme's Green Belt harm.

The Heritage Impact Assessment states that some harm to heritage significance will arise from the loss of compromised historic fabric, changes to both the buildings and their settings which are required to facilitate the proposed residential use, and the introduction of new, contemporary dwellings within the rural setting of the listed farmhouse. However, this harm will be offset by the restoration of the historic buildings including the farmhouse which qualifies as a Building at Risk by Historic England's definition.

Furthermore, the scheme will result in windfall housing which will help in a modest way to meeting housing targets. In addition, the scheme results in a biodiversity net gain and mitigation measures will be put in place to maintain and enhance biodiversity and landscaping and this is considered to carry modest weight in favour of the application.

For these reasons, it is concluded that very special circumstances exist in this case that justify the approval of inappropriate development, and that the public benefit of securing the future of the significant place through enabling development, together with the other cumulative advantages of the scheme decisively outweighs its Green Belt disbenefits.

It is not considered that this development would set a precedent within Barnsley as the circumstances in this case are unique. Notwithstanding this, it is a well-trodden path that each application should be assessed on their individual merits.

Recommendation: