



PLANNING SUPPORT STATEMENT

DETAILED APPLICATION FOR 1NO DWELLING
FOLLOWING DEMOLITION OF EXISTING STABLES

LAND OFF OLD ANNA LANE/WORK BANK LANE,
THURLSTONE,
SHEFFIELD

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1.0 INTRODUCTION

The proposal which forms the subject of this application for detailed planning permission for 1no dwelling relates to a site located off Old Anna Lane/Work Bank Lane, Thurlstone which is used for equestrian purposes. This proposal seeks detailed permission for the construction of 1No dwelling following the demolition of the existing stables and an adjacent lean to structure (the latter not being in equestrian use).

The following supporting documents/information are submitted with the application:-

- (i) Full plans and details – NYP Architectural Services;
- (ii) Planning Support Statement – Townsend Planning Consultants;
- (iii) Bat Report - Middleton Bell Ecological Consultancy; and
- (iv) Highways Report – attp.

It is considered that this statement, together with the accompanying plans and documents, clearly demonstrate to the Council that the proposal as now amended accords with national and local planning policy and, when judged against this and all material considerations, it is clearly the case that notwithstanding the site's green belt status planning permission should be granted.

The subject site has a longstanding use for equestrian purposes for circa 20 years. The Council granted planning permission for stables on the site in 2002 (application ref B/02/0036/PU).

It will be noted that in the context of the adopted NPPF, as the site forms a brownfield site within the Green Belt, the proposal does not constitute inappropriate development. As such, no "very special circumstances" are necessary to justify the grant of planning permission in the green belt.

This statement now proceeds to give details of the background to the site. The details of the proposal are then set out. Relevant planning policy and central government advice in the form of the National Planning Policy Framework is then discussed. The issues that the proposal raises are also examined and finally the conclusion is reached that planning permission should be granted for the proposal to proceed. Nevertheless, the applicants remain willing to discuss all aspects of this proposal with the Council.

2.0 THE SITE, THE PROPOSAL AND BACKGROUND

The subject site has a longstanding use for equestrian purposes with equestrian use of the land for circa 20 years. The Council granted planning permission for stables on the site in 2002 (ref B/02/0036/PU).

The site is located on the corner of Old Anna Lane and Work Bank Lane, to the eastern fringes of the village of Thurlstone. The site is accessed via a gated access and contains an 'L' shaped stable building with a lean to structure. The site is located wholly within the Green Belt.

The subject proposal seeks to develop 1 No dwelling following demolition of the stables as well as the attached lean to (not in equestrian use) as shown on the submitted plans. The proposal has been sensitively designed and is appropriate in scale form and layout for this Green Belt location. It will be noted that the size of the dwelling proposed is significantly less than the size of the stable building to be removed (around 56%) which will be of significant benefit to openness. It should be noted that whilst the agricultural lean to is to be demolished this does not form part of the volume calculations albeit that its removal will also benefit openness.

The dwelling will be located on broadly the same footprint as the existing stables and the formed curtilage will be less than the defined working areas of the existing equestrian use (including hardstanding), again benefiting openness. Care has now been taken to ensure that the residential curtilage is small scale and the boundary treatment is appropriate for a rural area, hedging is proposed to the north and west of the proposed dwelling to provide additional screening.

The proposals have also been drawn up in association with Attp who have produced an Highways Statement setting out the suitability of the proposals, including its sustainability. The applicant lives away from the site and make regularly makes visits to the site. Indeed the stables were rented to a third party for a number of years. The use of the site for its lawful uses generate significant amounts of vehicular movement. In terms of traffic movements it is considered that should be a reduction in traffic when compared

to the existing uses and lawful uses. The site also has suitable access to sustainable transport modes including public transport, cycling and walking.

Whilst the subject site is adjacent to the settlement is situated in a sustainable location and the following issues are considered relevant:

- a. Bus stop – Towngate (hourly service) - 0.1 miles.
- b. Walking distance to schools/village primary school - 0.1 miles.
- c. Walking distance to public house – 0.1 miles.
- d. Walking distance to bakery – 0.3 miles.
- e. Walking distance to takeaways – 0.3 miles.

Given its rural context, it is considered there are reasonable options for public transport for future occupiers. The walking distances to services and facilities in the settlement are only around 5 minute walk. There would be opportunities for walking and cycling to access local services and facilities within reasonably accessible distances. Future occupiers may well use private vehicles but the number of trips would not be great and this site would be accessible by a range of modes of transport.

It is considered that the in the context of the requirements of the Framework (NPPF) to have regard to the need to recognise rural areas will have less opportunities to maximise sustainable transport solutions than urban areas, the degree of environmental harm will be negligible.

The proposal, therefore, comprises of the reuse of a brownfield site with a built form materially smaller than the existing stable building which will benefit openness, as will be the reduction in the existing hardstanding working area around the stables. That existing working area located outside the proposed residential curtilage will be set to grass which will improve the greening of the site. There is also the removal of a lean to building and the provision of additional landscaping via a hedge on the western and northern boundary of the proposed house.

It is considered that in the context of the Development Plan and all material considerations, the proposal is acceptable. Nevertheless, the applicants remain willing to discuss all aspects of the proposal with the Council.

3.0 PLANNING POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise. The National Planning Policy Framework also advises of a presumption in favour of development which accords with the Development Plan. The importance of the statutory Development Plan in the decision making process necessitates an examination of the relationship between the policies and proposals of the Plan and to Government Guidance.

3.1 Central Government Policy Advice

3.1.1 National Planning Policy Framework

The following are comments on the advice in the Framework which are considered to be relevant to the consideration of the proposal:

- (i) Para 2 of the 'Introduction' sets out that:

“Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.”

- (ii) Section 2 sets out the aims of achieving sustainable development.

- (iii) At Para 38 with regard to decision making, it states:

“Local Planning Authorities should approach decisions on proposed development in a positive and creative way... and work proactively with applicants to secure developments that will improve economic, social and environmental conditions in the area. Decision makers at every level should seek to approve applications for sustainable development where possible.”

- (iv) Section 12 provides advice on ***“Achieving Well-Designed Places”***.

At Para 130 it states that:

“Decisions should ensure that developments:

...(b) are visually attractive as a result of good architecture, layout and effective landscaping.

(c) are sympathetic to local character and history including the surrounding built environment and landscape setting...

Para 132 states:

"...where the design of a development accords with clear expectations in plan policies, design should not be used by the decision maker as a valid reason to object to development."

The proposal conforms with the above advice.

v) Section 13 deals with Protecting Green Belt Land. At Para 147 it states:

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

Para 149 goes on to state:

"A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

...(g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (except temporary buildings), which would:

- not have a greater impact on the openness than the existing development; or***
- not cause substantial harm to the openness of the Green Belt where the development would reuse previously developed land and contribute to the meeting and identified affordable housing need within the area of the local planning authority."***

The constitutes a brownfield site. As such, the redevelopment of the site is clearly acceptable in principle and does not constitute inappropriate development. It is clear that this proposal will not have a greater impact on the openness of the

Green Belt than the existing development it seeks to replace. The built form of the proposed dwelling is significantly smaller than the existing stable block and this more than offsets any harm in respect of the impact on openness of the formation of the residential curtilage. Indeed as part of the proposals the removal of a lean to building which is used for non equestrian purposes will be removed.

As shown on the submitted plans, the proposed residential curtilage is smaller than the working areas, access and hardstanding of the stables, which will be returned to grass therefore greening the site. Further screening is proposed to the north and west of the building through hedging as per that which runs along the southern boundary. Therefore there will be benefit to openness.

3.2 Local Planning Policy

3.2.1 Barnsley Local Plan

The Development Plan for Barnsley MBC consists of the Barnsley Local adopted in January 2019. It should be noted that on the supporting proposals map the site falls wholly within the Green Belt.

The following policies are considered relevant to the proposals:-

(i) Policy GD1 General Development

The policy sets out a range of requirements for proposals to comply with before planning permission would be granted these include:-

- ***“There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;***
- ***They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;***
- ***They will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land;***

- ***They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surfaces, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape;***
- ***Any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated;***
- ***Adequate access and internal road layouts are provided to allow the complete development of the entire site for residential purposes, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas;***
- ***Any drains, culverts and other surface water bodies that may cross the site are considered;***
- ***Appropriate landscaped boundaries are provided where sites are adjacent to open countryside;***
- ***Any pylons are considered in the layout; and***
- ***Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing”.***

The proposals have been drafted in the context of these requirements and it should be noted that there is no conflict with the requirements of the above (some of which are not relevant to the proposals).

(ii) Policy T3 New Development and Sustainable Travel

This policy is relevant to all development proposals. The application is supported by a Highways Statement to ensure the Council’s accessibility standards can be met. The proposals will also provide required level of vehicle parking for a two bedroom property.

(iii) Policy T4 New Development and Transport Safety

The policy requires new development to be designed and built to provide all transport uses within and surrounding the development with safe, secure and convenient access and movement. A highways statement supports the proposal and demonstrates this can be achieved.

(iv) Policy D1 High Quality Design and Place Making

The policy requires development to be of high quality design. The policy provides a checklist of requirements (some of which are not relevant to the proposal). It is considered that the proposals do not conflict with the requirements of the policy.

(v) Policy GB1 Protection of Green Belt

The policy sets out the Green Belt is set out on the proposals map.

3.2.2 Penistone Neighbourhood Development Plan

The Penistone Neighbourhood Development Plan became part of the statutory development plan for Barnsley Council in August 2019. The application site falls within the Neighbourhood Plan Area, however, the Plan does not add any additional policy designation on the site.

(i) BE1: Design of the built environment

The policy forms the predominant policy for new housing in the neighbourhood plan area. The policy makes number of requirements including:

- Where new housing developments are proposed, homes should be reflective of local architecture and in keeping with the surrounding area including using external building materials that reflect the characteristic of development in the locality; and
- Use of appropriate landscaping.

4.0 THE ISSUES

4.1 The Development Plan

The form of development proposed (i.e. the redevelopment of a brownfield site in the Green Belt) and national policy (the NPPF) towards such development is silent in the Development Plan.

As set out in the text of this statement, by reference to the NPPF and policy to the redevelopment of brownfield sites in the Green Belt, the development does not constitute inappropriate development subject to a test of “openness” and the impact on the purposes of including land within the Green Belt. It is clear that this revised proposal in respect of height, mass, footprint, scale and design will not give rise to issues of harm in terms of the openness of the Green Belt and not harm the purposes of Green Belt.

It has been demonstrated that the proposal conforms with national guidelines and, as such, it can be argued that there is no conflict with the Development Plan.

4.2 Other Material Considerations

4.2.1 Brownfield Development

The part of the site, subject of the application constitutes a longstanding equestrian site.

The NPPF defines previously developed land as:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structures or fixed surface infrastructure have blended into the landscape.”

The whole of the application site therefore falls within the definition of previously developed land, as it has been and continues to be used as stables. The non equestrian lean to building, to be demolished will not form part of the volume relied upon in the proposals.

It is acknowledged that this is subject to a test of 'openness'. It will be noted that the proposed building is significantly smaller in volume and no greater in height than the built form on site. In addition a lean to used for non equestrian purposes will be demolished as part of the proposals but is not relied upon in the volume calculations. The proposal residential curtilage (shown on the submitted scheme) is also smaller than the overall curtilage/working area of the existing use, again to the benefit of openness. It is proposed to provide native hedge planting around the site which will effectively screen the proposed building.

4.2.2 Green Belt

It is considered that the proposal will benefit the Green Belt and a number of factors must be considered:

- (i) The significantly reduced built form of the proposed building in comparison with the existing building. It is considered in the light of the recently published PPG that this should carry significant weight.
- (ii) A proposed residential curtilage which will result in a reduction in the hard surfacing/working area of the stables and in the 'greening up' of the site.
- (iii) A reduction in activity on the site in the context of the lawful use.
- (iv) Screening of the site through native hedge planting.

It is considered in terms of the balance of all of these issues that it is clear that the proposal is of benefit to openness.

4.2.3 Sustainability

As demonstrated in this submission, the site has access by foot to local services in the village including some schooling, shopping and recreational facilities. The site is within 5

minutes of a public bus stop and adjacent to the village.

As stated in the NPPF Para 105:

“However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan making and decision making.”

4.2.4 Other Decisions and Case Law

Attention is also drawn to the Supreme Court judgement (Samuel Smith Old Brewery v N Yorkshire County Council). It is pointed out that the Court ruled that openness does not ***“imply freedom from all forms of potential development.”*** Furthermore, ***“On the proper reading of the NPPF and its historic context, visual quality of landscape is not in itself an essential part of openness for which the Green Belt is protected.”***

The legal commentary on this case concluded that protecting openness does not imply freedom from all forms of development and the Court confirmed that ***“not inappropriate development can proceed.”***

A recent appeal decision is also appended in relation to a site at Cliff Hollins Lane, East Bierley (APP/Z4718/W/20/3251182). Whilst that decision was for development outside the district, it has clear parallels with the subject case – it sought the redevelopment of a brownfield site (stables) with a reduction in the proposed built form. It will be noted that the area around the subject property was ‘open’ in character. The Inspector considered that the main issue was the effect on openness. The Inspector noted a number of issues that were considered to impact on openness (which are considered relevant to this proposal), including:

- (i) The access is as existing.
- (ii) The vehicle movements associated with equestrian could provide an intensive element.
- (iii) The impact of parking in respect of a single dwelling would be minimal.
- (iv) Domestic paraphernalia would be low level and boundary treatment would provide screening.

The overall conclusion was no harm to openness.

There are clear parallels with the subject site.

4.2.5 Highways

In relation to highways matters the application is supported by a Highways Statement by ATTP. It considers that the proposals will result in a reduction in traffic to and from the site and no doubt its recommendations can be dealt with via condition.

4.2.6 Bats

A Bat Survey Report is submitted with this application, no doubt its recommendations can be dealt with via condition.

5.0 CONCLUSION

This application seeks the development of 1No residential dwelling on this site following demolition of stables. The use of the site constitutes brownfield development. By reference to the NPPF the proposal, therefore, does not constitute inappropriate development and as such no 'very special circumstances' need to be demonstrated to justify the development. The proposal passes the test of openness in that the scale of the buildings and curtilage to be removed is greater than the scale of the buildings and curtilage to be built in replacement. As part of the proposals a lean to used for non equestrian purposes which will also be removed but not relied upon for the volume calculations will provide further benefits to openness.

In relation to highways matters the proposals in terms of traffic movements it is considered that should be less traffic when compared to the existing use and that the site has suitable access to sustainable transport means including sustainable transport measures including public transport, cycling and walking.

It is clear that the basis on which this application must be judged is the NPPF and this proposal wholly conforms to that.

Should the Council require any further information or wish to discuss the matter in more detail, please do not hesitate to contact me.