2021/1573

Mr Jeff Pears

Demolition of existing commercial and residential buildings and erection of residential development (4 dwellings) (Outline with all matters reserved apart from access)

Leapings View, Leapings Lane, Thurlstone, Sheffield, S36 9QP

Background

91/1597 – Erection of 4 bay agricultural building – approved with conditions

2015/0968 - Demolition of existing commercial and residential buildings and erection of residential development (4 dwellings) (Outline) – approved with conditions – this permission expired on the 23 December 2018.

2018/1468 - Demolition of existing commercial and residential buildings and erection of residential development (4 dwellings) (Outline with all matters reserved apart from access) – Approved with conditions



Aerial Photograph of the site in 2002

Description

The site is located off Leapings Lane an adopted road, off Rockside Road/Hornthwaite Hill Road, Thurlstone and is approximately 0.7ha in area. The site consists of a number of dilapidated buildings including former agricultural buildings/sheds, stables, a caravan, a skip, steel storage containers and a two storey brick built dwelling known as Leapings View, formerly a pair of semi-detached dwellings. The dwelling is currently let out. To the northern boundary of the site is the River Don and a number of trees/shrubs along the river bank. Surrounding the site are agricultural fields to the west and south and to the east is a recently

converted Grade II Listed dwelling, Weavers Cottage and Leapings Cottage and to the north east is Leapings Lodge.

At the time of the site visit, the site appeared untidy and has not significantly changed from the previous site visit back in 2018. Whilst there is limited planning history for the site, as can be seen on the 2002 Aerial photograph, the buildings were in situ at this time. The site is currently used for commercial purposes and at the time of the previous planning approval had a Goods Operators Licence for heavy motor vehicles with trailers (3 vehicles and 3 trailers being stored at the site).



2023 Aerial Photograph

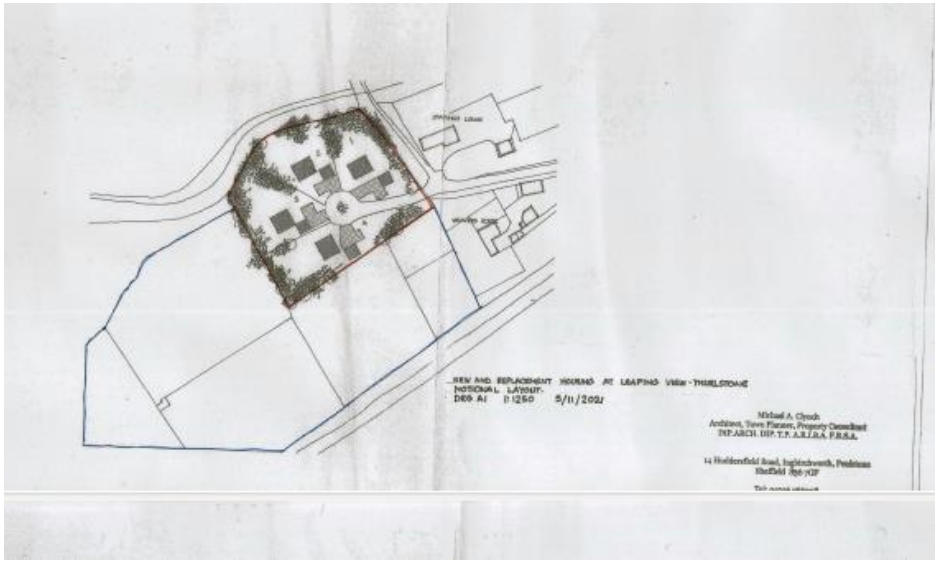
Proposed Development

Permission is sought to demolish the existing buildings and dwelling and develop the site for 4 dwellings. The applicant is applying for the same scheme approved under planning application 2015/0968 and 2018/1468.

The application is in outline with access to be considered only. An indicative site plan has been submitted with the application, demonstrating that 4 dwellings can be sited on the land.

A covering letter has been submitted with the application which states that 'The owner would be willing to remove all unsightly commercial structures on the site and close down the heavy vehicle licence operations and replace the existing residential use with a much higher quality scheme of just 4 houses… The overall reduction in building mass would reduce the impact on

openness of the Green Belt… Residential development is a major element already on site and this use has far less destructive of the quality of the area than a continuation of heavy commercial uses which bring heavy traffic movements to residential traffic routes in the village'



Policy Context

Local Plan

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.

Policy GD1 General Development

Policy H5 Residential Development on Large Non-allocated Sites

Policy H6 Housing Mix and Efficient Use of Land

Policy T4 New Development and Transport Safety

Policy BIO1 Biodiversity and Geodiversity

Policy D1 High Quality Design and Place Making

Policy GB1 Protection of Green Belt

In accordance with the NPPF and as set out in GB1, we will not allow proposals for 'inappropriate' development in the Green Belt unless it can be shown that there are very special circumstances that justify setting aside local and national policy. As set out in paragraph 88 (now 149) of the NPPF very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

SPDs/Other Guidance

Designing New Housing Development
South Yorkshire Residential Design Guide

NPPF

In respect of this application, relevant policies include:

Section 13. Protecting Green Belt Land

Paragraph 138 of the NPPF states that: Green Belt serves five purposes:

a) to check the unrestricted sprawl of large built-up areas;
b) to prevent neighbouring towns merging into one another;
c) to assist in safeguarding the countryside from encroachment;
d) to preserve the setting and special character of historic towns; and
e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 149 states:-

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
a) buildings for agriculture and forestry;
b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
e) limited infilling in villages;
f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
– not have a greater impact on the openness of the Green Belt than the existing development; or
– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Penistone Neighbourhood Plan – Adopted August 2019

BE1: Design of the built environment

All new housing proposals should adhere to the following principles, where it is appropriate: a) Where new housing developments are proposed, homes should be reflective of local architecture and in keeping with the surrounding area. In particular, the following design principles should be adhered to:
• To have no houses above two storeys on the perimeter of built up areas where it adjoins open countryside , where they have a greater impact upon the surrounding area in order to preserve and enhance the character of the area, in particular allocation sites HS70, HS71, HS74, HS75 as shown in Barnsley Local Plan.

• New developments should use external building materials that reflect the characteristic of development in the locality. b) All residential developments will be expected to be designed so as to be sensitive to any existing wildlife habitat and corridor and should be appropriately landscaped and in particular development on the edge of the existing settlements shall incorporate tree planting so as to soften the built-up edge of the settlement as viewed from the countryside. Any residential development of 20 or more units will be expected to make provision for the appropriate amount of open space, in accordance with Barnsley MBC standards. c) Development proposals should respect and maintain key views as identified on maps 2 and 3, in order to maintain the character and appearance of the town and villages.

Consultations

Ward Cllrs – Cllr Kitching ‘The site in question is an eyesore and has been for a long time, I can’t imagine there would be much objection to this kind of improvements.’

Penistone Town Council – No comments received

Highways DC – No objections subject to previous conditions

Pollution Control – No objections subject to conditions

Drainage – No objections subject to conditions

Environment Agency – The majority of the site is in flood zone 1 but the outer edge of the site nearest to the River Don and identified as being in a flood alert area. We recommend that the applicant incorporates flood protection measures into the development. This will protect the occupants for future generations

Yorkshire Water - No comments received

Public Rights of Way - The Trans Pennine Trail runs along Leapings Lane, the vehicular access to this site, and then along the site’s eastern boundary. This part of the trail is also adopted highway and is open to pedestrians, horse riders and cyclists.

The trail should remain fully open during and after any construction works at the site, with no obstruction of any part of the route. All construction vehicle movements should be overseen by banksmen to ensure safe passage for the public, and all parking and storage areas should be contained within the boundary of the site. Signs should also be installed where the trail joins Leapings Lane from the disused railway line and at the bridge over the River Don, warning of the demolition / construction site ahead and the potential for construction noises, which can spook horses. Ideally a commitment to this would be included in a construction method statement or the design and access statement.

Current vegetation should also be retained on the eastern boundary of the site as a buffer between the trail and the new properties.
If the application is accepted, please add the following informative to the decision notice:

The Trans Pennine Trail runs alongside the proposed development site. Safe public access on the right of way should remain available throughout, with no obstruction of or encroachment onto the width of the path and no building debris, storage of materials or parked vehicles limiting access at any time. Appropriate measures should be taken to protect the public, including fencing if necessary. For further information contact publicrightsofway@barnsley.gov.uk.

Biodiversity Officer – No objection subject to conditions

Tree Officer - No comments received

Representations

The application was advertised by way of a site notice and neighbour letter, no comments have been received as a result.

Assessment

Principle of development

The site is situated within the Green Belt as allocated within the adopted Local Plan Maps.

The NPPF states a local planning authority should regard the construction of new buildings as inappropriate in Green Belt, with certain exceptions which include the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

The site is a previously developed site, therefore classed as brownfield land and it is considered that this section of the NPPF applies.

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. In this instance, as the application is in outline, the development could be designed and limited to the area of the existing buildings/parking and manoeuvring areas and could not extend past the curtilage of the existing buildings and as such would not further encroach into the countryside.

With regards to the developments impact on openness, given the current use of the site as a heavy goods vehicle yard and workshops, and the level of activity associated with this use and unsightly nature of the buildings on site, their replacement with 4 dwellings is considered to be an improvement and would be acceptable in principle. The proposal would no doubt improve the visual amenity of the Green Belt, dependent on the scale, layout and design. Whilst the application is in outline, the new dwellings should be of no more than 2 storeys and

would need to be designed with a similar footprint of the existing buildings/parking areas. As there is an existing dwelling on the site (previously 2 properties) the number of residential dwellings on site would only increase by 2-3, further reducing impact given the current use on site.

The dwellings could be very high quality, incorporating green technology, but this would need to be looked at in more detail at reserved matters stage.

As a result of the above, it is considered that the development in principle complies with the NPPF, Section 13. Very special circumstances are therefore not required in this case.

In addition to the above Policy H5 of the Local Plan relates to Residential Development on Large Non-allocated Sites. The policy states that: Proposals for residential development on sites above 0.4 hectares which are not shown as housing sites on the Policies Map will be supported where they:

- Are located on previously or part previously developed land;
- Are located within Urban Barnsley, Principal Towns and Villages;
- Are accessible by public transport; and
- Have good access to a range of shops and services.

Whilst in the Green Belt the site is located immediately adjacent to the allocated urban fabric area of the village of Thurlstone. It is set on previously developed land, and is accessible to public transport and a range of services within Thurlstone and Penistone. The proposal is considered to be acceptable on balance when measured against the above policy.

Adopted Policy H6 of the Local Plan requires a minimum density of 30 dwellings per hectare net in the villages. Lower densities will be supported where it can be demonstrated that they are necessary for character and appearance, need, viability or sustainable design reasons. In this instance the impact of the proposal on the openness of Green Belt warrants a low number of properties on this site and in order to comply with the NPPF which states that the development should 'not have a greater impact on the openness of the Green Belt than the existing development.' This justifies a lower number of dwellings on this particular site.

Visual Amenity

The buildings on site are large and unsightly. The site is generally untidy with a number of vehicles parked on the land which appear to be from the residential use within Leapings View. There are also mounds of rubble and rubbish, a caravan and a skip on the land. There are a number of areas of hardstanding which can be seen on the aerial photographs.

Given the unsightly nature of the site and the number of unattractive large buildings which are sited on the land, together with the historic use of the site as a heavy goods vehicle operating centre, the redevelopment of the site for four dwellings would not have a greater impact upon the Green Belt, subject to the size and scale of the development. Whilst the application is in outline with all matters reserved, the new dwellings should be of no more than two storeys and would need to be designed with a similar footprint of the existing buildings. It is recommended that an informative should be applied to any approval.

Due to the Green Belt countryside location of the site, the dwellings would need to be of a high quality design and constructed of high quality materials, this would need to be agreed at Reserved Matters stage.

The application is considered to be acceptable in terms of the visual amenity and would comply with Local Plan Policy D1 and the SPD in this respect.

Residential Amenity

In terms of any impact upon adjacent dwellings, the proposed dwellings would be located a significant distance away from the nearest dwellings and would not overlook or overbear/overshadow adjacent dwellings. The Council's recommended separation distances can be achieved.

The proposed dwellings can be designed so that the amenity standards are complied with as set within the South Yorkshire Residential Design Guide and the proposal would allow for sufficient private amenity space in accordance with the SPD – Designing New Housing Development.

No objection is raised with regard to impact upon residential amenity.

Highways

The Highways Officers have previously noted that there are already residential properties on the site and that there has been a HGV O license for the site. Leapings Lane and the approach roads are all rural in nature, narrow and lacking in pedestrian facilities, and it serves mainly residential properties. There are, therefore, considerable benefits to removing the HGV use from the highway.

The access to the site is considered to be sufficient for 4 dwellings, given the current use of the site for tailored vehicles. Highways have no objection to the proposal subject to conditions.

The layout, maneuvering and parking arrangements are to be considered at reserved matters stage and given the previous use of the site, the use of the site for four dwellings is not considered of detrimental impact to highway safety.

Biodiversity

The only vegetation on the site are patches of scrub and self-seeded bushes. There are also no significant trees on or adjacent to the site worthy of protection.

The applicant submitted a bat and bird survey for the existing buildings set to be demolished as part of the proposal. A Biodiversity Nett Gain report has also been submitted. The submitted Bat Report states in conclusion that: 'Despite the building being assessed to have negligible potential for roosting bats, further bat surveys were asked for by Barnsley MBC ecologists. Two such surveys were carried out for completeness, one a dusk emergence survey and one a dawn swarm survey. No bats emerged from the building during the dusk emergence survey and no bats entered a roost in the building during the dawn survey. Low levels of Common Pipistrelle activity were recorded around the building during the dusk emergence survey and even less bat activity during the dawn survey. No signs of nesting birds were identified during either of the surveys.'

The Council's Ecologist has considered the proposal and has states that 'I am satisfied that it has been demonstrated that a slight gain in biodiversity can be achieved, with habitat creation and enhancement works proposed on and adjacent to the site.'

The proposal is therefore acceptable in principle subject to conditions requiring the following documents to be submitted with the Reserved Matters proposal:- A Biodiversity Enhancement Management Plan (BEMP), Construction Environmental Management Plan - Biodiversity (CEMP-B) and details of external/internal lighting.

The proposal is therefore acceptable in terms of Biodiversity Impacts, in accordance with BIO1 of the Local Plan.

Flood Risk/Drainage

The site is set outside of the Flood Risk Zone as confirmed by the Environment Agency who have no objection to the proposal put forward subject to flood protection measured being included within the final design. No objections have been received by Yorkshire Water and the Council's Drainage Officer has no objection subject to conditions.

In terms of flood risk the agent states that: 'The application is in outline and the recommendations will be dealt with at a full application stage when the buildings are designed for construction (all matters reserved except access). The recommendations will be attached by me to the approval as they are helpful, sensible and proportionate. You may refer to them as an, "advisory" if you wish but it is probably unnecessary as any subsequent detail application will address all issues and the floodline will be signed up when the site is built although flooding is very unlikely.'

Conclusion

The site is a brownfield site set within the Green Belt and the regeneration of the site for housing and would comply with the NPPF and Local Plan policies. Approval of the application is recommended subject to a reserved matters submission considering design, layout, scale, landscaping and access.

Recommendation

Grant subject to conditions