
2024/1056

P Needham

81 Swallow Hill Road, Low Barugh, Barnsley, S75 1LY

Demolition of existing bungalow and replace with 1no. dwelling with solar panels and air source heat pump (Custom/ self-build).

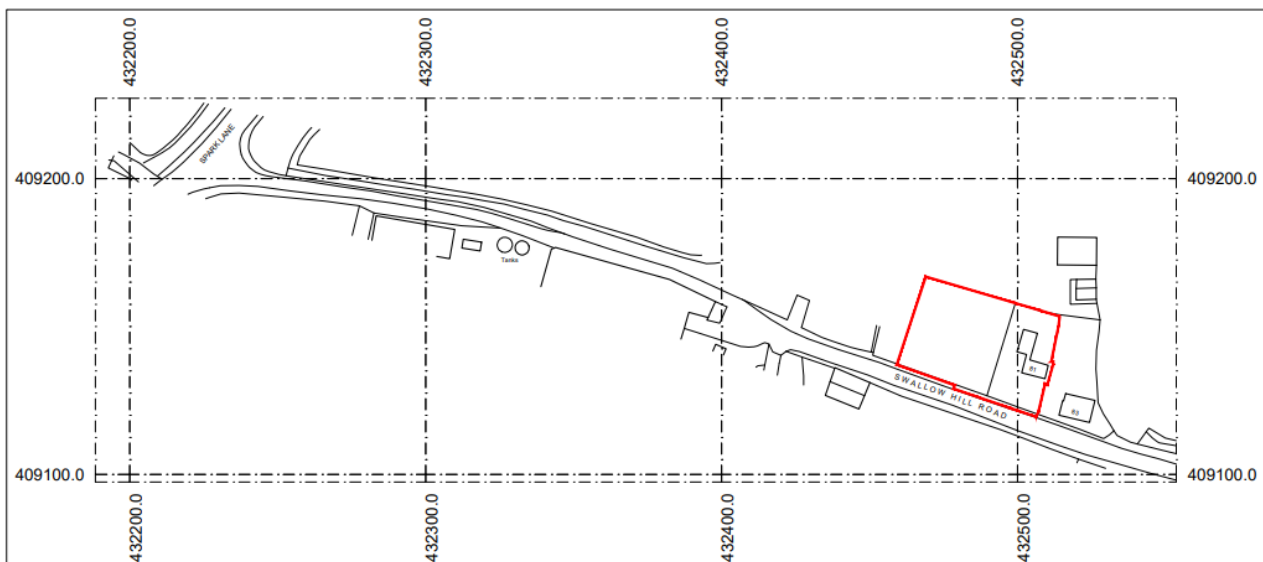
Site Description

The application relates to a large plot located on the north side of Swallow Hill Road which comprises residential curtilage and an adjacent grazing paddock. The residential curtilage accommodates an existing extended detached bungalow (81 Swallow Hill Road) that appears to be constructed of red reclaimed brick and yellow stone, with grey tiled gable roofs. The curtilage and access appear to be shared with 83 Swallow Hill Road. To the north of the site is an existing detached barn constructed of stone with a metal sheet pitched roof.

The existing bungalow is fronted by a garden bounded by a low stone wall and hedge. The curtilage of the bungalow is also bounded by a low stone wall and trees and vegetation to the west. A grazing paddock is located immediately adjacent. The paddock is covered with grass with minimal presence of public service infrastructure (drainage manholes). The paddock is bounded by a low stone wall to the east, south and west with an existing gated access to the south-east corner and timber fencing elsewhere. There is an established tree line to the west and north with additional trees and a grass verge forming the site frontage.

The surrounding area is a mix of residential and agricultural uses. Swallow Hill Farm is located to the west with a row of terraced dwellings to the east. There are other residential properties located intermittently in the locality and to the south is Darton Sewage Treatment Works.

The application site is located in a relatively isolated rural setting between Mapplewell to the north, New Lodge to the east, Redbrook to the south and Barugh to the west. The paddock bounds the extent of the built environment on the north side of Swallow Hill Road and contributes positively to the permanence and openness of the Green Belt.



Planning History

There is several planning applications associated with the development site. However, the most recent and relevant applications are as follows:

1. 2024/0270 – Proposed single storey rear extension (Prior Notification Householder). – Prior Approval granted.
2. 2024/0450 – Demolition of existing roof and construction of new first floor with roof (Prior Approval). – Prior Approval granted.

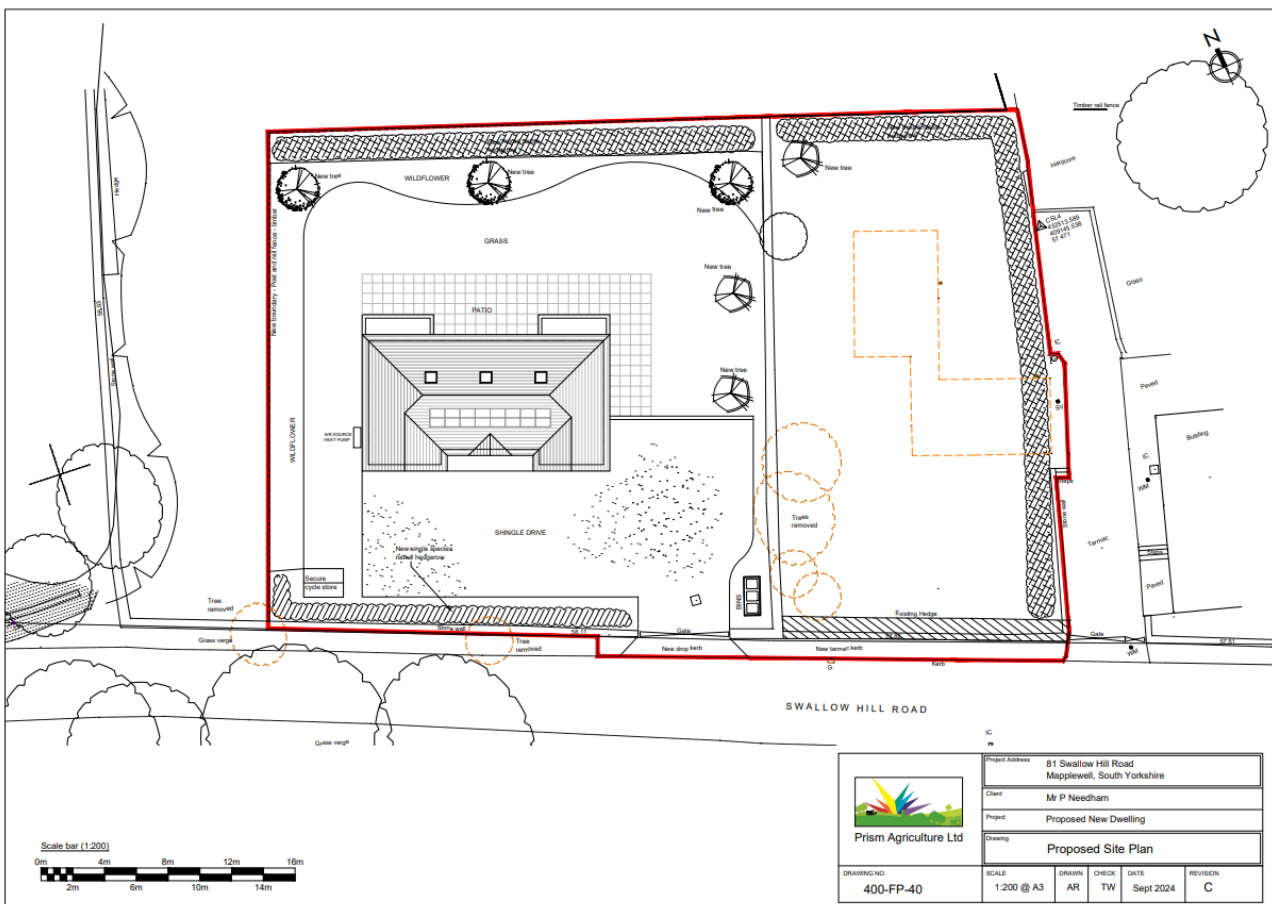
Proposed Development

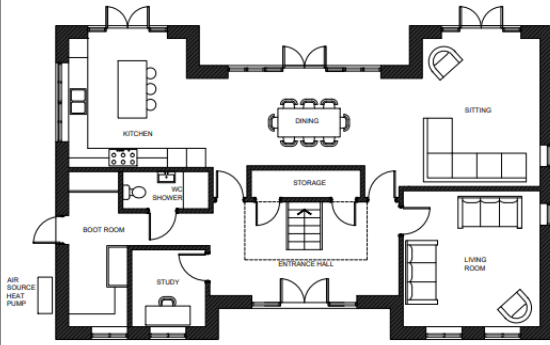
The applicant is seeking planning permission for the demolition of an existing bungalow (81 Swallow Hill Road, Low Barugh, Barnsley, S75 1LY) and the erection of one replacement dwelling with solar panels and an air source heat pump on an adjacent paddock.

The proposed dwelling would be a two-storey detached dwelling that would adopt a 'H' form with a gross floorspace (measured externally) of approximately 269sqm and measures approximately 15.6 metres (W) x 9.9 metres (L) x 8.8 metres (H).

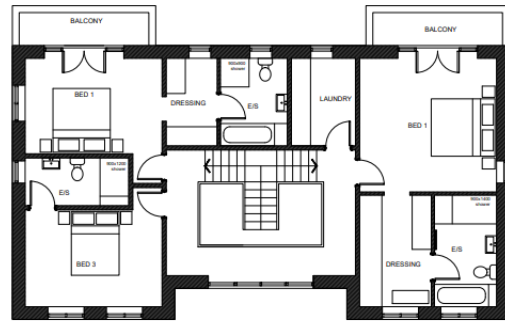
The dwelling would adopt a coarse or sandstone block construction with a hipped roof constructed of slate effect clay tiles with inset solar panels to the front and three roof lights to the rear. The roof would also feature a central glazed gable element which would form part of additional feature glazing to the front. The dwelling would also feature two first floor balconies to the rear.

An air source heat pump would be installed on the western elevation of the dwelling and a detached shed of a timber construction and for cycle storage would be erected to the south-west corner within the development site.



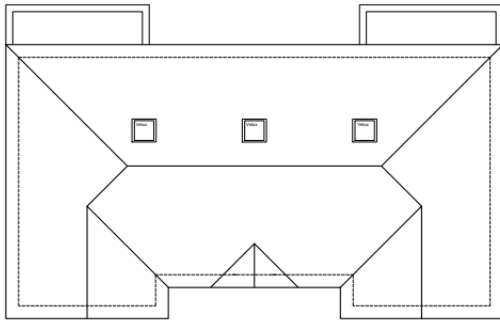


GROUND FLOOR PLAN
GIA - 118 sq.m
GEA - 140 sq.m

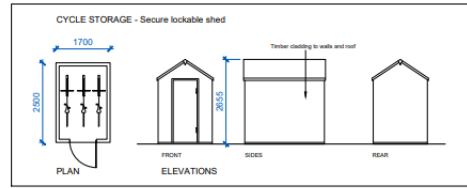


FIRST FLOOR PLAN
GIA - 118 sq.m
GEA - 129 sq.m

OVERALL GEA 269 sq.m



ROOF PLAN



Scale bar (1:100)



Prism Agriculture Ltd

Project Address	81 Swallow Hill Road Mappleton, South Yorkshire
Client	Mr P Needham
Project	Proposed New Dwelling
Drawing	Proposed Plans
DRAWING NO.	400-FP-10
SCALE	1:100 @ A3
DRAWN	AR
CHECK	TW
DATE	Sept 2024
REVISION	A



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

Scale bar (1:100)



Prism Agriculture Ltd

Project Address	81 Swallow Hill Road Mappleton, South Yorkshire
Client	Mr P Needham
Project	Proposed New Dwelling
Drawing	Proposed Elevations
DRAWING NO.	400-FP-20
SCALE	1:100 @ A3
DRAWN	AR
CHECK	TW
DATE	Sept 2024
REVISION	A

Policy Context

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise; the National Planning Policy Framework (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 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 which are a material consideration in the decision-making process.

The Local Plan review was approved at a full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering on 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, which is due to take place in 2027, or earlier, if circumstances require it.

Local Plan Allocation – Green Belt

The development site is allocated as Green Belt within the adopted Local Plan which has no specific allocation. Therefore, the following policies are relevant:

- ***Policy SD1: Presumption in favour of Sustainable Development.***
- ***Policy GB1: Protection of Green Belt.***
- ***Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt.***
- ***Policy GB3: Changes of use in the Green Belt.***
- ***Policy LG2: The Location of Growth.***
- ***Policy H1: The Number of New Homes to be Built.***
- ***Policy H4: Residential Development on Small Non-allocated Sites.***
- ***Policy H6: Housing Mix and Efficient Use of Land.***
- ***Policy GD1: General Development.***
- ***Policy POLL1: Pollution Control and Protection.***
- ***Policy D1: High quality design and place making.***
- ***Policy T3: New Development and Sustainable Travel.***
- ***Policy T4: New Development and Transport Safety.***
- ***Policy BIO1: Biodiversity and Geodiversity.***
- ***Policy CC2: Sustainable Design and Construction.***
- ***Policy CL1: Contaminated and Unstable Land.***
- ***Policy I1: Infrastructure and Planning Obligations.***

Supplementary Planning Document(s)

- ***Trees and Hedgerows (Adopted May 2019).***
- ***Design of Housing Development (Adopted July 2023).***
- ***Walls and Fences (Adopted May 2019).***
- ***Biodiversity and Geodiversity (Adopted March 2024).***
- ***Parking (Adopted November 2019).***
- ***Sustainable Construction and Climate Change Adaptation (Adopted July 2023).***

National Planning Policy Framework (December 2024)

The NPPF sets out the Government's planning policies and how these are expected to be applied. The core of this is a presumption in favour of sustainable development. Proposals that align with the Local Plan should be approved unless material considerations indicate otherwise. In respect of this application, relevant sections include:

– **Section 5: Delivering a sufficient supply of homes.**

Paragraph 83. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Paragraph 84. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
- d) the development would involve the subdivision of an existing residential building; or*
- e) the design is of exceptional quality, in that it: i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and ii. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.*

– **Section 9: Promoting sustainable transport.**

Paragraph 110. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. 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.

Paragraph 115. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code⁴⁸; and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.*

Paragraph 116. 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, following mitigation, would be severe, taking into account all reasonable future scenarios.

– **Section 11: Making effective use of land.**

Paragraph 124. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land⁴⁹.

– **Section 12: Achieving well designed places.**

Paragraph 131. The creation of high quality, beautiful and sustainable 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Paragraph 135. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁵¹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

Paragraph 136. Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined⁵², that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.

– **Section 13: Protecting Green Belt land.**

Paragraph 143. 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 153. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness⁵⁵ (Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate.). Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. '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 154. Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- 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), including buildings, 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 (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;

v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Paragraph 155. The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

b. There is a demonstrable unmet need for the type of development proposed⁵⁶ (Which, in the case of applications involving the provision of housing, means the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years; and in the case of traveller sites means the lack of a five year supply of deliverable traveller sites assessed in line with Planning Policy for Traveller sites.);

c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework⁵⁷ (In the case of development involving the provision of traveller sites, particular reference should be made to Planning Policy for Traveller Sites paragraph 13.); and

d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

Other Material Considerations

- South Yorkshire Residential Design Guide 2011.
- Planning Practice Guidance.

Consultations

Highways Development Control	<i>No objection subject to conditions.</i>
Highway Drainage	<i>No objection.</i>
Pollution Control	<i>No comments to additional information.</i>
Mining Remediation Authority	<i>No objection.</i>
South Yorkshire Mining Advisory Service	<i>No objection subject to conditions.</i>
Yorkshire Water Services Ltd	<i>No objection subject to conditions.</i>
Forestry Officer	<i>Comments.</i>
Biodiversity Officer	<i>No objection subject to conditions.</i>
Local Ward Councillors	<i>No comments.</i>

Representations

Neighbour notification letters were sent to surrounding properties. A site notice was placed nearby, expiring 21st February 2025. No representations were received.

Assessment

For the purposes of considering the balance in this application, the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of Development and Green Belt Assessment

Local Plan Policy H4: Residential development on small non-allocated sites, sets out that proposals for residential development on sites below 0.4 hectares (including conversions of existing buildings and creating dwellings above shops) will be allowed where the proposal complies with other relevant policies in the Plan.

Local Plan Policy H6: Housing mix and efficient use of land, states that proposals to change the size and type of existing housing stock must maintain an appropriate mix of homes to meet local needs.

The principle of development is underpinned by Policy H4 subject to compliance with other relevant policies in the Local Plan. In this instance, the development site is in the Green Belt and therefore, the starting point is the National Planning Policy Framework (NPPF) which established Green Belt policies at a national level.

Paragraph 153. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness⁵⁵ (Other than in the case of development on previously developed land or grey belt land, where development is not inappropriate.). Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. '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 154. Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- 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), including buildings, 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 (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

The most relevant paragraphs to this application are 154(d) and 154(g). The proposed development is described as a replacement dwelling and it is stated within the application form that it would be on previously developed land.

Regarding paragraph 154(d), it is not considered that the proposed development would constitute a replacement building. A replacement building should generally be situated within the same curtilage as the existing building that is being replaced; meaning it should occupy the same land area as the original structure, and not significantly expand beyond the existing property boundaries, unless very special circumstances exist. As such, it is considered that the development would constitute a new dwelling in the Green Belt and this application will be considered on this basis.

During the application process, an appeal (APP/R4408/W/23/3328681) was shared with the Agent. The appeal relates to a planning application (2022/1063) which shares similar circumstances to the application currently under consideration. Whilst the case law (Athlone House Ltd v SSCLG [2015] EWHC 3524 (Admin)) referred to in the appeal decision may not be entirely relevant, it is stated that that if there is no building existing, the building cannot be replaced, which is relevant.

Regarding paragraph 154(g), it is not considered that the proposed development would constitute redevelopment of previously developed land. Annex 2: Glossary of the framework defines previously developed land as land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed.

Previously developed land excludes: land that is or was last 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 management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that

was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

It is acknowledged that the development site was previously occupied by a row of terraced dwellings as visible on a 1960 OS map and the historical maps submitted to support the application. However, these properties have since been demolished and the only remnant of their existence is the presence of remaining public service infrastructure (drainage manholes). There are no visible remains of any permanent structure or fixed service infrastructure such as hardstanding and the development site has been in use as a grazing paddock since the demolition and has now blended into the landscape. Consequently, it is considered to be excluded as previously developed land.

Further to the above, an assessment has also been made in relation to 'Grey Belt'.

Paragraph 155. The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed⁵⁶ (Which, in the case of applications involving the provision of housing, means the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years; and in the case of traveller sites means the lack of a five year supply of deliverable traveller sites assessed in line with Planning Policy for Traveller sites.);
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework⁵⁷ (In the case of development involving the provision of traveller sites, particular reference should be made to Planning Policy for Traveller Sites paragraph 13.); and
- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.

Paragraphs 155(a), 155(b) and 155(c) are most relevant to this application and paragraph 155(d) is not relevant.

Annex 2: Glossary of the framework defines Grey Belt as land within the Green Belt which comprises previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

Footnote 7 is not relevant to this application, and it has been established that the development site does not constitute previously developed land. As such, an assessment has been made to whether the development site is other land that does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143 of the framework. This assessment has been made in accordance with the recently revised Planning Practice Guidance under Paragraph: 005 Reference ID: 64-005-20250225.

Regarding purpose A – to check the unrestricted sprawl of large built-up areas – the development site is considered to have a weak or no contribution.

Regarding purpose B – to prevent neighbouring towns merging into one another – the development site is considered to have a moderate contribution.

Regarding purpose D – to preserve the setting and special character of historic towns – the development site is considered to have a weak or no contribution.

Compliance with paragraphs 155(a) and 155(b) is not disputed. However, development is required to be in a sustainable location to be considered 'Grey Belt'. To determine whether the development would be in a sustainable location, consideration is given to paragraphs 110 and 115, in accordance with paragraph 155 of the framework.

The development site is located in a rural setting with Mapplewell Local Centre approximately 1km to north-east, Darton Local Centre approximately 1.5 km to north-west and Athersley District Centre approximately 1.9km to east. Whilst the proposal puts forward adequate vehicle and cycle parking spaces, there is an absence of footpaths and other infrastructure in the area that could be utilised to promote sustainable methods of travel such as walking and cycling safely. Travel by car would likely remain the primary mode of transport and there are no amenities or access to public transport links in the immediate locality. As such, the development site is not considered to be in a sustainable location, and consequently, the development site is not considered to be 'Grey Belt'.

Notwithstanding the above, a broader assessment must be made regarding the proposal's potential impact upon the permanence and openness of the Green Belt. The erection of a new, larger dwelling on an adjacent paddock would extend the extent of the built environment further into the Green Belt whilst creating a void between existing surrounding development due to the demolition of an existing bungalow. This would isolate the proposed dwelling, re-position existing established boundaries of the built environment and result in a parcel of land that would have a diminished contribution to the permanence and openness of the Green Belt when compared with the existing paddock which is considered to contribute positively. The proposal is therefore considered to conflict with paragraph 84 of the framework. Moreover, Paragraph 153 of the framework is clear in that substantial weight should be attributed to any harm to the Green Belt and its openness.

It is considered that the proposed development does not meet the relevant criteria for the exceptions specified by the framework, including 'Grey Belt'. As such, the proposed development is considered to be inappropriate development in the Green Belt and very special circumstances have not been established to demonstrate otherwise.

Regarding the adopted Local Plan, Policies GB1, GB2 and GB3 are the most relevant to the Green Belt and to this application in establishing the existence of the principle of development.

Policy GB1: Protection of Green Belt, sets out that the Green Belt will be protected from inappropriate development in accordance with national planning policy.

Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt, sets out that the erection of replacement buildings in the Green Belt where the new building would be of the same use and would not be materially larger than that which it replaces, will be allowed provided the development would not have a harmful impact on the appearance, or character, and will preserve the openness of the Green Belt.

Policy GB3: Changes of use in the Green Belt, sets out the proposals will not generally be allowed to change the use of Green Belt land to extend existing residential curtilages, amongst other things.

As previously established, the proposed development is considered to be inappropriate development in the Green Belt and would therefore conflict with Local Plan Policy GB1. The development is also considered to constitute a new dwelling in the Green Belt and not a replacement building. As such, Local Plan Policy GB2 is not entirely relevant in this instance. Nevertheless, the proposal would see an existing extended detached bungalow demolished (approximately 86.3sqm) and the erection of a new two-storey detached dwelling (approximately 269sqm). This would present an approximate increase in gross floorspace (measured externally) of 211.7%. As such, the new dwelling would be materially larger than the existing bungalow. If the proposed development were to be considered as

a replacement building, it would conflict with paragraph 154(d) of the framework and Policy GB2. The submitted proposed site plan shows that the existing domestic curtilage of 81 Swallow Hill Road would be retained within the red line boundary in addition to the adjacent paddock which would form new domestic curtilage. This would present a material increase and extension of existing domestic curtilage in the Green Belt, which conflict with Policy GB3.

In considering the above, the proposed development is not considered to be a replacement building, the redevelopment of previously developed land or development on 'Grey Belt' land and no other exceptions are applicable. The development is however considered to constitute a new dwelling and inappropriate development in the Green Belt and would see the erection of a dwelling that would be materially larger than the existing bungalow and a material increase of and extension of the existing domestic curtilage in the Green Belt, to the detriment of its permanence and openness. The proposal would conflict with Policies GB1, GB2 and GB3 and in turn Policy H4. The principle of development in this instance is therefore considered to be unacceptable.

Impact on Visual Amenity

The proposed development would comprise the erection of a three-bedroom, two-storey detached dwelling with a H-shaped form and hipped roof. The dwelling would adopt a coarse or sandstone block construction and slate effect clay tiles with inset solar panels to the front and three roof lights to the rear. The roof would also feature a central glazed gable element which would form part of additional feature glazing to the front. The dwelling would also feature two first floor balconies to the rear. The dwelling would adopt a symmetrical and generally sympathetic appearance and materials. Full external materials details could be secured by condition. However, there are concerns regarding the size and siting of the dwelling, particularly in relation to its impact on the Green Belt.

Regarding the siting of the proposed development, the existing grazing paddock bounds the extent of the built environment on the north side of Swallow Hill Road and functions well in limiting urban sprawl. The paddock is considered to contribute positively to the permanence and openness of the Green Belt. The proposed development would introduce harm by further extending the extent of the built environment into the Green Belt which would create a void which would isolate the proposed development and disrupt the existing development patterns, to the detriment of the permanence and openness of the Green Belt.

Regarding the size of the proposed development, the proposed dwelling would be materially larger than the existing bungalow in terms of gross floorspace. The new domestic curtilage would also be materially larger. Whilst the proposed dwelling would be located in an isolated rural setting and would benefit from existing natural screening, and a comprehensive soft landscaping scheme has been proposed which could aid the softening of the development and harmonizing with the surrounding natural landscape, the proposal would still conflict with paragraph 154(d) of the framework and Policy GB2.

Paragraph 153 of the framework is clear that substantial weight should be given to any harm to the Green Belt, including its openness, and inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances have not been demonstrated.

In considering the above, the general appearance and materials is considered acceptable. However, this is only attributed moderate weight in favour of the development in this instance due to the harm to the Green Belt, which is attributed substantial weight against the proposal.

On balance, the proposal is therefore considered to be contrary to Local Plan Policy GB1: Protection of Green Belt and Local Plan Policy D1: High Quality Design and Placemaking and would also conflict with Local Plan Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt and paragraph 154(d) of the framework and is considered unacceptable regarding visual amenity.

Impact on Residential Amenity

Regarding overshadowing, the new dwelling would be erected centrally in the adjacent paddock and away from surrounding buildings. It is therefore anticipated that any potential impact would occur and be limited to the curtilage of the development site and would not be significantly detrimental to the amenity of the occupant(s) of neighbouring properties.

Regarding overlooking and loss of privacy, most apertures would be located on the north and south elevations of the new dwelling which would face towards adjacent fields and away from surrounding neighbouring properties. The proposed first floor balconies to the rear would also face towards fields and not neighbouring properties. A limited number of apertures would be located on the east and west elevations of the new dwelling at ground and first floor level. The western apertures would face towards an established tree line and the eastern apertures would face towards the rear curtilage of 83 Swallow Hill Road. However, an adequate separation distance of 21 metres or more would be achieved and proposed tree and hedge planting could offer some screening mitigation.

New hedges would be planted on the north, east and southern boundaries of the development site and new trees would be planted adjacent to the north and east boundaries within the paddock which would provide a good amount of natural screening and privacy. An established tree line would also provide additional screening to the north and west.

It is understood that the existing eastern boundary wall to the paddock would be retained, and full details of boundary treatments could be secured by condition.

Regarding outlook, the new dwelling would be erected centrally in the adjacent paddock and away from surrounding buildings and obstructions. It is therefore anticipated that reasonable outlook could be achieved and the amenity of the occupant(s) of neighbouring properties would not be significantly detrimentally impacted.

The proposed development would comply with the minimum internal space standards as set out in Table 4A.1 in the South Yorkshire Residential Design Guide.

The proposed development would exceed the guidance within the Design of housing development SPD regarding the size of a rear garden for a three-bedroom dwelling, which states 60sqm should be provided. In this instance approximately 400sqm would be achieved.

It is acknowledged that there could be some disruption and nuisance caused to people in the locality during construction and demolition works. However, any potential impact would be anticipated to be temporary and construction hours could be controlled by condition.

The proposed development includes the installation of an air source heat pump on the west elevation of the proposed dwelling and solar panels on the southern roof plan. Additional details were initially requested by the Council's Environmental Health Officer (Pollution Control), which were submitted and relayed to Pollution Control for consideration. No additional comments were received despite efforts to chase these. As such, it is assumed that there is no objection to the proposal. The provision of renewable energy sources is welcome and reflects the aims of the NPPF and Policy RE1.

In considering the above, the proposed development is considered acceptable regarding residential amenity subject to conditions and therefore, is attributed significant weight in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy GD1: General Development and Local Plan Policy POLL1: Pollution Control and Protection and is considered acceptable regarding residential amenity. Nevertheless, development that is considered acceptable regarding residential amenity does not justify the approval of a scheme which is considered unacceptable in principle and harmful to the permeance and openness of the Green Belt.

Impact on Highway Safety

The development is not considered to be prejudicial to highway safety; the existing access used by the occupant(s) of the existing bungalow (81 Swallow Hill Road) and 83 Swallow Hill Road would be retained. An existing access to the south-east corner of the adjacent paddock would be retained and used for the new development. A new shingle drive would be formed within the adjacent paddock which could accommodate at least two vehicles, and at least one secure cycle parking space within a separate secured area within the plot would be provided, in accordance with Table 1 and Table 2 in the Parking SPD.

During the application process, a new section of footway was added to the proposal following initial comments from Highways Development Control to aid the movement of waste collection operatives. Highways Development Control were re-consulted on the amended plans, and no objections were received subject to conditions.

In considering the above, the proposed development is not considered to result in an unacceptable impact on highway safety, or severe residual cumulative impacts on the road network and therefore, is considered acceptable regarding highway safety subject to conditions and therefore, is attributed moderate weight in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy T3: New Development and Sustainable Travel and Local Plan Policy T4: New Development and Transport Safety and is considered acceptable regarding highway safety. Nevertheless, development that is considered acceptable regarding highway safety does not justify the approval of a scheme which is considered unacceptable in principle and harmful to the permeance and openness of the Green Belt.

Impact on Trees

Paragraph 136 of the framework sets out that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible.

The application is supported by a Tree Survey and Constraints Plan that sets out recommendations for tree management, removal and retention.

Trees T8 and T9 are recommended for removal. Trees T4, T5, T6 and T11 are recommended to consider removal. Minor works are recommended to H2.

The original soft landscape specification (MR24-124/101) showed the removal of trees T3, T4 and T8. Trees T5, T6, T7, T9 and T11 were shown to be retained. Four replacement trees were shown. An amended soft landscape specification was submitted (MR24-124/101 Rev. A) due to comments regarding inconsistencies between documents and is under consideration. The plan shows trees T3, T4, T5, T6, T8 and T9 would be removed and tree T7 and T11 would be retained. Six replacement trees are shown.

Whilst the removal of trees T3, T4, T8 and T9 is considered acceptable given that they are identified as category C and have a low amenity value and are considered to be very small inconsequential specimens, and the replacement tree planting scheme is generally welcome, the removal of trees T5 and T6, which are category B and have a greater amenity value, is considered unacceptable and unjustified.

An email dated 24th February 2025 from the Agent stated that the email comments and discussed with the landscape architect and geotechnical consultant and it was decided to remove those poorly located trees which are planted adjacent to the eastern boundary wall, so as not to destroy the wall which will remain in situ and also so that future root growth of those trees as they get larger do not

destabilise the ground where there are known historic capped deep coal shafts to the east-northeast of the removed trees.

This was discussed with the Council's Forestry Officer. It was acknowledged that the email outlined some reasoning for the proposed removal of Trees T5 and T6, which are both identified as Category B. However, it was determined that further information would be required as to what has changed between the application being submitted and initial comments from the LPA to include their removal. It was suggested that this could be supported with the provision of the specific professional advice that was received, otherwise, it is considered that trees T5 and T6 should be retained. No further information was provided.

In the absence of the requested additional information, it is considered that insufficient justification has been provided to warrant the removal of trees T5 and T6. The proposal therefore conflicts with paragraph 136 of the framework, BS5837 and is considered unacceptable.

In considering the above, the broader soft landscaping scheme is welcome. However, the proposed removal of trees T5 and T6 conflicts with paragraph 136 of the framework, BS5837 and is considered to be unacceptable. This is therefore considered to weigh modestly against the proposal.

Impact on Biodiversity and Geodiversity

In England, Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and means developers must deliver a BNG of 10%. It is indicated that the development would be self-build and custom build, which is a form of exempt development from BNG requirements.

Notwithstanding this, the application is supported by an Ecological Impact Assessment (EclA) which contains details of the findings of surveys undertaken on site and which consider the habitats present and the potential for protected and priority species. An inspection of the existing dwelling on site in terms of its suitability to support roosting bats, followed by subsequent dusk emergence surveys to further assess the presence/absence of such species is included. The surveys largely followed the Bat Conservation Trust survey guidance. The Council's Planning Ecologist has confirmed that they are satisfied with methodology used.

The bat surveys identified that the existing dwelling is used by a small number of common pipistrelle bats, with a single bat recorded emerging from the dwelling during each of the two dusk surveys. The EclA recommends that a third emergence survey is carried out to inform a European Protected Species Mitigation Licence application to Natural England. Depending on when works are proposed and when the licence is required, Natural England may require a number of emergence surveys, as opposed to a single survey, to provide an up-to-date assessment of how the building is used by bats.

The EclA establishes a suitable mitigation scheme in relation to the bat roost identified, including the provision of a temporary roost during construction works and soft demolition carried out under the supervision of a licensed bat ecologist, and the provision of a suitable bat roosting feature within the proposed dwelling. All works would be carried out under a European Protected Species Mitigation Licence.

Habitats of value identified on site include an existing hedgerow to the southern boundary. This is to be retained, and new native hedgerow planting is also proposed.

Further recommendations set out within the EclA which aim to enhance biodiversity on site include the installation of an integral swift nesting feature and invertebrate box within the proposed dwelling, which is welcomed. The Council's Planning Ecologist was consulted, and no objections were made subject to conditions.

In considering the above, this is considered to weigh moderately in favour of the proposal.

The proposal is therefore considered to comply with Local Plan Policy BIO1: Biodiversity and Geodiversity and is considered acceptable. Nevertheless, development that is considered acceptable regarding biodiversity does not justify the approval of a scheme which is considered unacceptable in principle and harmful to the permeance and openness of the Green Belt.

Other Matters

The development site is in a defined Development High Risk Area; therefore, within the development site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this application.

The application is supported by a Geological Insight, Radon Check, Coal Mining Risk Assessment and Phase 1 Contaminated Land Risk Assessment.

The Mining Remediation (Coal) Authority were consulted, and it was stated that “The Coal Authority records indicate that the site contains a mine entry (shaft ref. 432409-042) close to the eastern half of the site. The Coal Authority treated and capped this mine entry in 2006 and installed a manhole and monitoring pipes. Accordingly, the location of the mine entry and its potential zone of influence is understood in this instance. The site also lies within a Surface Coal Resource Zone.

“In addition, our records identify that there is a mine entry (shaft ref. 432409-024) close to the site’s southeastern boundary of the site. The Coal Authority holds no treatment details for this mine entry and, due to plotting inaccuracies, there could be some deviation, by several metres from the inferred location. An untreated or an inadequately treated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety.

“Notwithstanding the above, the part of the site where the development is proposed lies outside of the defined High-Risk Area. Therefore, we do not consider that a Coal Mining Risk Assessment is necessary to support this proposal and we do not object to this planning application.”

The South Yorkshire Mining Advisory Service (SYMAS) were also consulted, and no objections were received subject to conditions for the undertaking of intrusive site investigations and gas monitoring in accordance with the submitted Coal Mining Risk Assessment.

Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal constitutes inappropriate development in the Green Belt which would have a harmful impact on its permanence and openness and very special circumstances have not been demonstrated. As such, substantial weight is attributed to the harm in accordance with paragraph 153 of the framework, and although the proposal is considered acceptable in some regard, the harm to the Green Belt is not outweighed by other material considerations in the planning balance. As such, this application is recommended for refusal for the following reasons:

1. The development site is in the Green Belt as identified by the adopted Barnsley Local Plan (January 2019) wherein Local Plan Policy GB1: Protection of the Green Belt, reflects national policy guidance which restricts new development except in very special circumstances, for purposes other than those set out in paragraphs 154 and 155 of the National Planning Policy Framework (NPPF).

In the opinion of the local planning authority, the proposed development is not considered to be a replacement dwelling (paragraph 154(d)), redevelopment of previously developed land (paragraph 154(g)) or Grey Belt (paragraph 155) and would instead constitute a new dwelling in the Green Belt that would be materially larger than the existing bungalow which it is stated it would replace. The existing domestic curtilage would also be significantly

extended into the Green Belt and as such, the proposal would conflict with Policy GB2, Policy GB3 and paragraph 154(d) of the NPPF.

The development is therefore considered an inappropriate development that would harm the permanence and openness of the Green Belt, contrary to Policy GB1 and the NPPF. Furthermore, very special circumstances have not been demonstrated that would otherwise justify the granting of planning permission and as such, the principle of development is considered unacceptable.

2. In the opinion of the local planning authority, it is considered that insufficient justification has been provided to warrant the removal of trees T5 and T6, which are both identified as Category B and are considered to have a greater amenity value, and therefore, the proposal conflicts with paragraph 136 of the framework and BS5837 and is considered unacceptable.

**Recommendation -
Refuse.**