

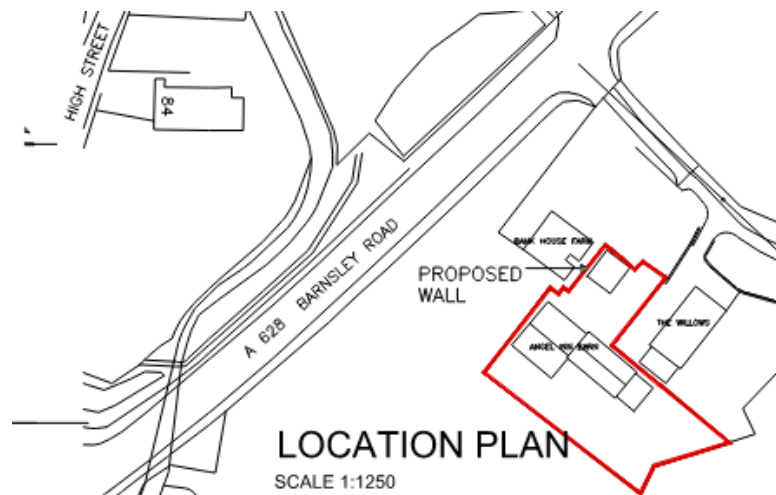
Application Reference: 2026/0616

Site Address: The Angel Inn Barn High Street, Silkstone, Barnsley, S75 4FZ

Introduction: This application seeks full planning permission for the rebuilding of section of boundary wall and reinstatement of ground to former levels to dwelling

Relevant Site Characteristics

The specific site of the development is a section boundary treatment dividing the two curtilages of Bank House Farm, and the applicant's curtilage at The Angel Inn Barn, close to their detached garage.



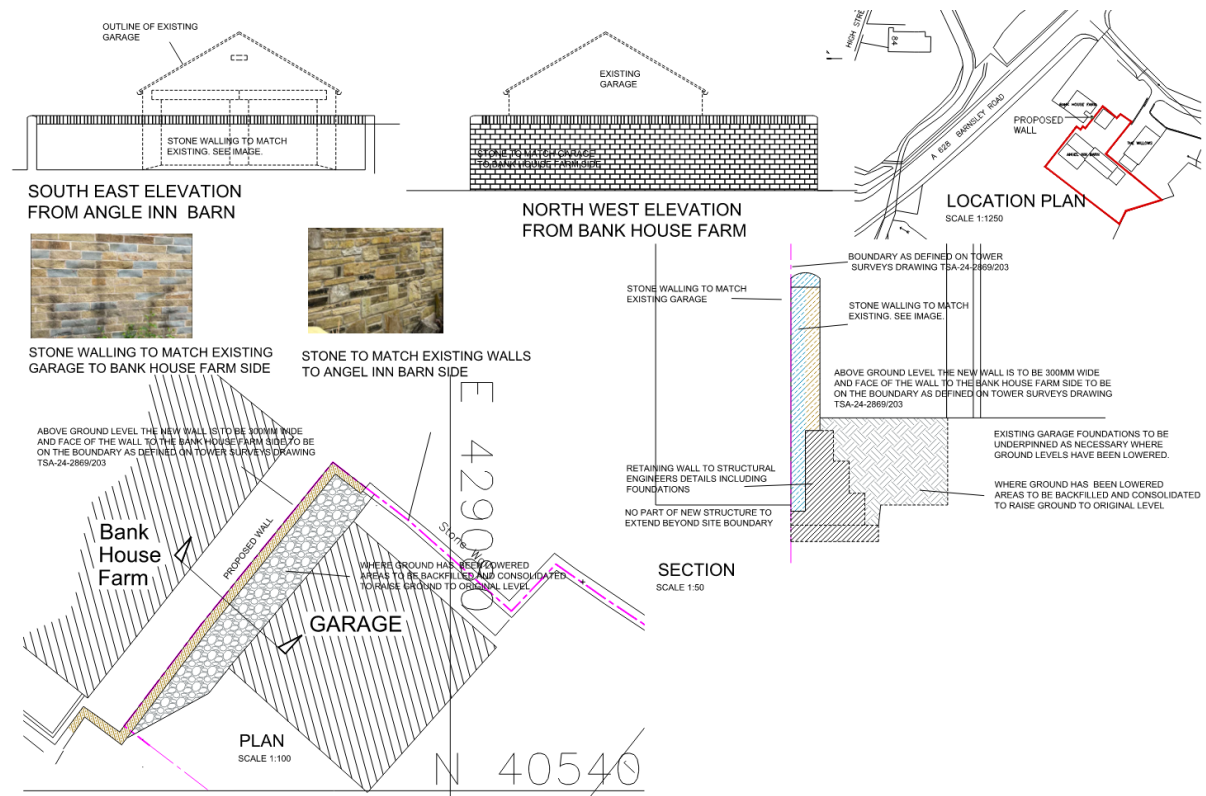
Site History

<u>Application</u>	<u>Description</u>	<u>Status</u>
2016/0810	Variation of condition 2 of app 2010/0696 (Partial demolition and conversion of existing barns into 2 no. dwellings including single storey extensions and detached garage) to allow change to design and extension of Barn A	Approved
2015/1366	Variation of condition 2 of application 2010/0611 - Conversion of 2 no. barns and associated outbuildings into two dwellings to allow changes to design and layout to Barn A.	Approved
2013/1203	Variation of Condition 2 of application - 2010/0611 - Conversion of 2no barns and associated outbuildings into two dwellings to allow re-design and changes to internal layout to Barn B.	Approved
2013/1202	Variation of Condition 2 of application - 2010/0611 - Conversion of 2no barns and associated outbuildings into two dwellings to allow re-design and changes to internal layout to Barn B.	Approved
2010/0696	Partial demolition and conversion of existing barns into 2 no. dwellings including single storey extensions and detached garage. (Listed Building Consent)	Approved
2010/0611	Conversion of 2no barns and associated outbuildings into two dwellings	Approved

Detailed description of Proposed Works

The proposed works is for the reinstatement of a section of stone wall, which forms part of a larger stone wall boundary treatment between Bank House Farm and The Angel Inn Barn. Currently, a relatively high wooden fence has been erected in replacement of the wall. Original ground levels would also be reinstated.

Proposed Plan



Relevant Policies

The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

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.

The following Local Plan policies are relevant in this case:

- Policy SD1: Presumption in favour of Sustainable Development.
- Policy D1: High Quality Design and Place Making.
- Policy GD1: General Development.
- Policy GB1: Protection of Green Belt
- Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt

- Policy HE1: The Historic Environment
- Policy HE2: Heritage Statements
- Policy T4: New Development and Transport Safety

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework 2026 sets out the overarching planning framework for England and has replaced the previous version published in December 2024. It has introduced a revised structure comprising national decision-making policies organised by policy code rather than paragraph number. Paragraph 1 confirms that the NPPF is a material consideration of critical importance for making decisions on development proposals in England.

Paragraph 15 confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and NPPF Policy S3 sets out a presumption in favour of sustainable development and states that in all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in the NPPF should be approved without delay.

Relevant policies have been taken into account throughout the assessment of this application according to the issues raised by the proposal.

The most relevant sections are:-

Section 3 - Decision making policies

Section 4 - Achieving sustainable development

Section 13 - Protecting Green Belt land

Section 14- Achieving well designed places

Section 20 - Conserving and enhancing the historic environment

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

Supplementary Planning Guidance

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The most pertinent SPD's in this case are:

- House extensions and other domestic alterations (Adopted March 2024)
- Parking (Adopted November 2019)

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

Consultations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015. Any neighbour sharing a boundary

with the site has been sent written notification and the application has been advertised on the Council website. A site notice was also placed nearby to the development site, and a press notice was published in the local Barnsley Chronicle newspaper.

Three comments from the same address were received. The comments raised concern over the material choice for the proposed section of wall.

Consultees:

Conservation: No objections raised (further comments given in the body of the report)

Although not part of the planning assessment of the application, the Conservation officer was consulted on the application and was aware of the concerns of the applicants and the result of the separate civil litigation. He advised the applicants, that although the litigation was awarded in their favour, a planning application for the works would probably still be required.

Parish Council: No comments received.

Planning 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 including impact on Green Belt and on Heritage

The proposal seeks planning permission for the rebuilding of section of boundary wall and reinstatement of ground to former levels to dwelling, which is located on land designated as Green Belt.

Section 13 of the NPPF opens with the following statement

‘The objective of Green Belt policy, as set out in this chapter, is to prevent urban sprawl by keeping land permanently open. The government attaches great importance to Green Belts, the essential features of which are their openness and permanence’

NDMP GB6 outlines control of development within the Green Belt with three key factors, two of which are relevant to this application:

1. Development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7.
2. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other

considerations. In making this assessment, substantial weight should be given to the harm to the Green Belt which would be caused, including harm to its openness.

NDMP GB7 of the NPPF establishes the exceptions where development in the Green Belt should not be considered inappropriate.

NDMP GB7(b) of the NPPF establishes the reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the original building. In the case of proposals for a replacement building, it should be for the same use and not materially larger than the one it replaces;

Local Plan Policy GB2 reflects the aim of paragraph NDMP GB7(b) of the NPPF and states that development in the Green Belt is not inappropriate if it comprises the extension or alteration of an existing building provided that it would not result in disproportionate additions over and above the size of the original building.

HNDP HE6: outlines the procedure for proposals affecting designated heritage assets

1. When considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation 95 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.
2. Development proposals which would have a positive effect on a designated heritage asset should be supported.
3. Any harm to a designated heritage asset will be a matter of considerable importance and weight, which should be dealt with in accordance with paragraphs 4 to 6 of this policy

Local Policy HE1: The Historic Environment and Policy HE2: Heritage Statements, provide local policy guidance in relation to heritage assets, including the requirement of a heritage statement, which has been provided.

For this application, there are no works which extend or alter the previously approved scale of the application dwelling or its neighbouring dwelling of Bank House Farm. Instead, a section of previously approved boundary treatment would be reinstated, as closely as possible to how it was originally approved. Given the scale and the location of the proposal, there would be no harm to the openness of the Green Belt, and the reinstatement of an approved boundary wall would not be considered as inappropriate development.

Equally, whilst the proposed section of wall is within the (original) curtilage of a listed building, as the proposal reinstates a previously approved section of wall, there would be no harm to the designated heritage asset of Bank House Farm, other than that which was previously assessed and approved within the original planning application and its approved amendments.

Considering the above, the principle of development in relation to the Green Belt, and the reinstatement of a boundary wall within the curtilage of a listed dwellings is considered acceptable. In addition to meeting the requirements for development within the Green Belt, and in the curtilage of a listed dwelling, all proposals should also be of a high standard of design,

respect the character of the existing building and its surroundings, and have no adverse effect on the amenity of local residents, visual amenity of the area or highways safety. These considerations are discussed in more detail below.

Impact on Neighbouring Amenity

Usually, the erection of any boundary treatment over 2m in height would require strong mitigation against any potential negative impact on neighbouring amenity, particularly when as in this instance, the adjacent dwelling is located so close to the boundary treatment. However, in this instance the height of the proposed boundary treatment was approved as part of the original planning application or amendments to such applications, for the conversion of two barns into The Angel Inn Barn and The Willows.

In 2021 and 2022, separate planning applications and consequential amendments, solely related to the neighbouring, Grade II Listed dwelling of Bank House Farm were approved. One relative aspect of the approved plans was for the construction of a rear extension, which may have brought the dwelling closer to the approved boundary of The Angel Inn Barn.

Whilst it is uncertain if any boundary treatments were approved during these applications at Bank House Farm, the Conservation Officer believes there was not approval of a boundary treatment in the form of wooden fence, which was erected partially in replacement of the boundary stone wall. Regardless of whether the fence received planning permission or not, in civil litigation, prior to and separate from this application, it was concluded that at least part of the fence was constructed on land not in the ownership of Bank House Farm, and that a section of original wall should be replaced.

The section of the proposed wall to be replaced, and the reinstalment of levels in this application would be the section of wall required to be replaced within the civil litigation. However, the only impact upon this planning application would be the consideration of scale and design of the proposed wall and ground levels.

Regarding this application, the proposed section of replacement wall would not only reinstate the originally constructed, and approved wall, but also replace the section of fence, of similar height to the wall, erected by Bank House Farm. Because the wall would replace the current fence, and reinstate the original approved wall and ground levels, there would be no additional impact to the amenity of Bank House Farm, then which was originally approved.

It would therefore be considered that there would be little or no impact on neighbouring amenity, and the proposal would be considered in accordance with Local Policy GD1. This carries moderate weight in favour of the proposal.

Scale, Design and Impact on the Character and Heritage

As the proposal is to reinstate a section of boundary wall and original ground levels, which have been altered by the erection of a wooden fence; in order to reinstate the brick wall, the relevant section of existing fence would be required to be removed. The scale of the proposed wall would be in keeping with the scale of the remaining boundary wall, and as far as possible in keeping with the scale of the original boundary wall. The wall would be approximately 2.32m above ground level within the applicant's curtilage, but due to ground level differences, despite reinstatement of the original ground level on The Angel Inn side of the boundary, the height of the wall would be approximately 3.72m above the ground level at Bank house Farm.

Whilst the proposed height is higher than the 2m allowed through permitted development, the wall is to be constructed on land owned by the applicant, where the wall would be constructed at approximately 0.32m above this 2m guidance, and would be in line with the remaining extent of the original, and existing wall which has not been replaced.

Concern over the design of the proposed replacement wall was raised in comments from a neighbouring dwelling, particularly in relation to different stone being used on different sides of the boundary wall. As the proposed wall is most visible from the courtyard of The Angel Inn Barn and The Willows, the wall would be constructed of stone to match the stone used within the existing boundary wall. The materials of the wall which would face Bank House Farm would remain as stone, but stone which would match the adjacent garage. The garage belongs to The Willows but is situated in the courtyard between the Willows and Bank House Farm, with it being a prominent feature already visible from Bank House Farm. Whilst the garage does have some public visibility, the proposed section of replacement wall would principally only be visible within the rear curtilage of Bank House Farm, would not negatively impact on the listed building of Bank House, and would have little if any public visibility. The Council's Conservation Officer came to the same conclusion in their assessment stating the following:

"taking account of the relatively screened location, the established use of this stone in the conversion and repair of Angel Inn Barn, and the practical requirement for a structurally robust retaining wall, the use of bonded stone for this short section is considered acceptable. On balance, the proposal is unlikely to result in undue harm to the setting of the listed building."

In view of the above, in terms of impact on the scale design and character, the proposal would have a limited impact, and the proposal would therefore remain compliant with local policy GD1 and D1, which carry moderate weight in favour of the proposal.

Highways

The original scale and entire length of the boundary wall would have been originally approved within a previous planning application. The proposed wall is a replacement for a fence, of a similar height, which has been erected in replacement of the wall. The section of wall to be reinstated is not located near a public highway, and it would have no impact on parking provision or highway safety.

Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and is therefore recommended for approval.

RECOMMENDATION: Approve subject to conditions

Justification

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.