

2023/0349

Applicant: Mr Carl Thickett

Conversion of barn into 1no residential dwellinghouse and associated works

Land adj. to The Cock Inn, Birdwell, Barnsley, S70 5UD

Site Description

The application site is in relation to a former agricultural stone barn which resides to the rear (South) of The Cock inn public house, located off The Walk on the outskirts of the settlement of Birdwell. Birdwell is predominantly a residential area, yet the site is located within the Green Belt with several agricultural buildings nearby and the aforementioned public house. The site is located immediately adjacent to the M1, which is positioned to the immediate West of the site. As such, the property is in the M1 corridor and the associated air quality management area. The access into the site is off The Walk, through the car park for the pub.

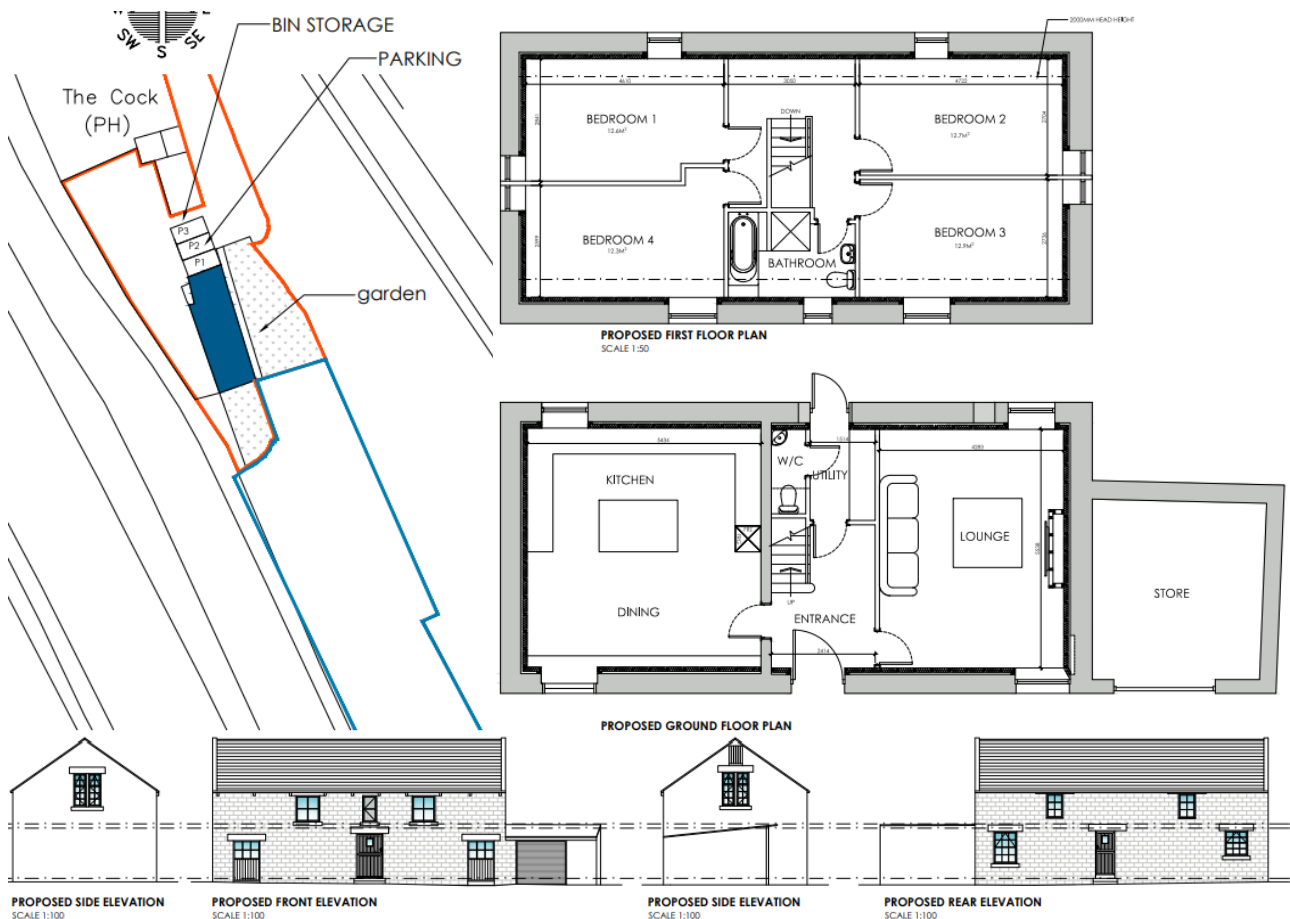
Relevant Site History

B/04/0212 – Conversion of barn to residential dwelling with attached garage (Refused)

2016/0355 – Change of use of agricultural building to dwelling (prior notification) (Withdrawn)

Proposed Development

The applicant is seeking for the conversion of the existing agricultural barn into a two-storey residential dwelling. The dwelling is to be access off The Walk, through the existing car park serving the Cock Inn pub leading to a parking area for three vehicles. The building will not be extended in any way, with the existing structure largely being retained without the need for substantial or complete reconstruction. The dwelling will be formed into a 4-bedroomed property, with a kitchen/dining room, lounge and utility room at ground floor.



Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it. The National Planning Policy Framework represents up-to-date government planning policy and is a material consideration that must be taken into account where it is relevant to a planning application. As such, the following policies are relevant to the application-

SD1: Presumption in favour of sustainable development – When considering development proposals we will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

GD1: General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

GB1: Protection of Green Belt – Green Belt will be protected from inappropriate development in accordance with national planning policy.

GB2: Replacement, extension and alteration of existing buildings in the Green Belt - Provided it will not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt, the Council will allow the following development in the Green Belt:

- Replacement buildings where the new building is in the same use and is not materially larger than that which it replaces.
- Extension or alteration of a building where the total size of the proposed and previous extensions does not exceed the size of the original building.
- Dividing an existing house to form smaller units of accommodation

This is providing that such development is of a high standard of design, has no adverse effect on the amenity of local residents, the visual amenity of the area, or highways safety and preserves the openness of the Green Belt.

GB3: Changes of use in the Green Belt – The Council will allow the change of use or conversion of buildings in the Green Belt provided that:

- The existing building is of a form, scale and design that is in keeping with its surroundings;
- The existing building is of a permanent and substantial construction and a structural survey demonstrates that the building does not need major or complete reconstruction for the proposed new use;
- The proposed new use is in keeping with the local character and the appearance of the building; and

- The loss of any building from agricultural use will not give rise to the need for a replacement agricultural building, except in cases where the existing building is no longer capable of agricultural use.

This is providing that such development is of a high standard of design, has no adverse effect on the amenity of local residents, the visual amenity of the area, or highways safety and preserves the openness of the Green Belt.

D1: High Quality Design and Place Making – Development is expected to be of a high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

T3: New Development and Sustainable Travel – New Development will be expected to:

- Be located and designed to reduce the need to travel, be accessible to public transport and meet the needs of pedestrians and cyclists.
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds and disabled people set out in the relevant Supplementary Planning Document.

T4: New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Poll1: Pollution Control and Protection - Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

BIO1: Biodiversity and geodiversity – Development will be expected to conserve and enhance the biodiversity and geological features of the borough.

Supplementary Planning Documents

- Design of Housing Development
- Parking
- Sustainable Travel
- Trees and Hedgerows

NPPE

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

Paragraph 7 – the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8 – achieving sustainable development has three overarching objectives:

- a) An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth,

innovation and improved productivity; and by identifying and coordinating the provision of infrastructure

- b) A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 38 – Local planning authorities should approach decisions on proposed development in a positive and creative way.

Paragraph 111 – 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 should be severe.

Paragraph 119 – 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.

Paragraph 120 – Planning policies and decisions should

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and
- e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

Paragraph 126 - 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.

Paragraph 134 – Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Paragraph 149 - 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.

Consultations

Air Quality Officer – Briefly assessed the report and the conclusions are agreed with, in that Air Quality will not impact on the development and no further comments or objections are raised.

Biodiversity Officer – Responded to the scheme stating that the ecologists were in agreement with the findings of the submitted bat survey which showed a low potential for bat roosts, and 2 x bat swift boxes and bird boxes should be implemented on site in suitable locations. A planning condition was recommended that required the developer to submit such details and agree them with the LPA prior to work commencing on site.

The Coal Authority – No objection raised.

Conservation Officer – Initially objected to the proposal largely in relation to the excessive external alterations, and additional openings, which harmed the special character of the historic barn. Alterations to the building were suggested. Upon receipt of an amended plan showing alterations, the Conservation Officer raised support for the scheme.

Forestry Officer – No comments received.

Highway Drainage – No objection raised.

Highways DC – Initially questioned various elements of the proposal including visibility splays, the extent of the red line boundary shown on the site plan and the lack of turning area within the site. Upon receipt of further information provided by the agent, no objection from highways was raised subject to conditions.

National Highways – No objections raised.

SYMAS – SYMAS have reviewed the planning application and associated CMRA by Lyons CMC ref 0304. The risk assessment concludes mining legacy risks are low and no intrusive investigations are required. The Heritage statement also indicates no below ground works are required. Given the above I have no objections to the proposals.

Ward Councillors – No comments received.

Wortley Parish Council – No comments received.

Representations

Neighbour consultation letters were sent to neighbouring residents with a site notice placed nearby; one comment was received stating that no objections are raised but did not wish to see the building extended, or for the application to justify future developments closer to the Walk which could have a greater impact on neighbours.

Assessment

Principle of development and impact on the Green Belt:

It should firstly be noted that the application follows on from two previous applications on the site for very similar development. The first application (ref. B/04/0212/WB) was refused for air quality reasons in an air quality management area. The second was withdrawn due to it being a prior notification that didn't meet the associated criteria for a decision to be made under the PN procedure. However, it is noted on the file that there were concerns with noise and air quality. Both of these elements will be further assessed in the below sections of the report.

The application comprises a change of use within the Green Belt, to convert a former agricultural barn into a 4-bedroomed dwellinghouse. The starting point for such assessment in terms of Local Planning Policy is therefore Local Plan Policy GB3 which states that the Council will allow for the change of use or conversion of buildings in the GB provided that:

- The existing building is of a form, scale and design that is in keeping with its surroundings;
- The existing building is of a permanent and substantial construction and a structural survey demonstrates that the building does not need major or complete reconstruction for the proposed new use;
- The proposed new use is in keeping with the local character and the appearance of the building; and
- The loss of any building from agricultural use will not give rise to the need for a replacement agricultural building, except in cases where the existing building is no longer capable of agricultural use.

In all cases, the development is required to be a high standard of design, preserve the openness of the Green Belt and have no adverse impact on the amenity of local residents, the visual amenity of the area or highway safety.

In this case, the proposed development is for a straight conversion of the building, which is clearly structurally sound and will not require major or complete reconstruction. The development will require external fenestration alterations to facilitate the conversion into a dwelling but will not require any extensions, or significant adaptation internally.

The proposal is in a fairly isolated location, to the rear of a public house, and at a lower ground level than the neighbouring The Walk, with a row of substantial tree coverage on the boundary lines. The red line boundary of the site includes an allocated garden area to the East and South of the building, but the red line boundary also stretches to the West and North-West of the building. The total area of the site which has been outlined within the red line boundary measures to be c. 500sqm, which it is likely that large parts of the area (to the West and North-West) will be ancillary space given that they are tree covered and in close proximity to the M1 motorway. Nonetheless, the total domestic area outlined is large for a domestic plot and permitted development rights will be removed to ensure that no further encroachment or urban sprawl will occur. Any such development for additional buildings will therefore require planning permission.

As such, it is considered that the proposal is in compliance with Local Plan Policy GB3 and is acceptable in terms of green belt policy subject to other local and national planning policy being complied with.

Visual Amenity and Impact on Historic Environment

The Council has a Barn Conversions SPD which offers guidance to developers seeking to convert a farm building to residential or other use. This has detailed design guidance which states that such buildings are usually characterised by stone walls, relatively few openings and simple un-hipped roofs, and covered with stone slates or natural grey slate. Conversions are generally expected to be designed so that the character of the building is preserved.

The Conservation Officer has been involved with the application at an early stage and initially raised concern with the original design of the conversion which featured a significant number of new openings, including rooflights. The Conservation Officer also provided guidance that stated the design of a previous application was supported and suggested that an amended design sought to replicate the previous design (ref. 2016/0355 – subsequently withdrawn). The agent submitted an amended design which reduced the number of new openings to one (small bathroom window at first floor) level. The proposed elevations are largely to

replicate the existing openings with new window and doors. Full details of which will be confirmed at a later stage through a planning condition which requires the developer to submit details to the LPA and agree prior to commencement. On balance, the proposed is considered to be in compliance with the Barn Conversions SPD and Local Plan Policy D1.

The development also requires the erection of an acoustic barrier fence, as per the submitted Noise Impact Assessment (NIA), given the site's location in the M1 Corridor. Details of such will be submitted should the application be approved. Likewise, the NIA recommends the installation of double-glazing window units which can cause conflict with the requirement for sympathetic window materials given the historic nature of the building/barn. However, the details will be confirmed through a discharge of conditions application.

A planning condition will be attached which ensures that the parking area is hard surfaced rather than surfaced in loose gravel.

The amended proposal is considered to be in compliance with the SPD and Local Plan policy D1 and is acceptable in terms of visual amenity.

Residential Amenity

The proposed conversion will have very little direct impact on existing neighbouring properties as it is a straight conversion of the building with habitable room windows on the front (East-facing) and rear (West-facing) which do not face directly onto neighbouring properties. Likewise, there is no increase overshadowing impact, or loss of outlook to existing residents. The internal floor space exceeds the minimum required spacing standards as expected of a dwelling this size in the South Yorkshire Residential Design Guide, with each bedroom being a minimum of 12sqm which is in line with the requirement for double bedrooms. The external amenity space vastly exceeds the minimum requirement for 4 bedrooms properties (60sqm).

The main consideration in terms of residential amenity is that of the future residents of the proposed development given the application site is located within the M1 Corridor, which has substantial noise considerations and its presence within the M1 Air Quality Management Area. Colleagues in Regulatory Services requested a Noise Impact Assessment which led to an initial objection to the proposal by Regulatory Services given the elevated noise levels in the garden. The NIA was subsequently amended to show models for a 3m high barrier acoustic fence which still showed that the garden areas would generally be in a range of 52dB to 54dB with an average of 53dB in total. This is higher than the guidance within BS8233:2014 and the ProPG: Planning & Noise Professional Practice Guidance for new residential development. The documents states that traditional external areas that are used for amenity space such as gardens or patios should not exceed 50dB with an upper guideline value of 55dB which would be acceptable in noisier environments, such as city centres or urban areas adjoining the strategic transport network. The guidance alludes to a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources. To this end, colleagues in regulatory services issued an amended response removing the objection but still raising slight concern that the noise levels were high and recommending conditions should planning seek to approve.

Taking the Planning Practice Guidance into account, the site is an existing agricultural barn which is located in an established residential area in the settlement of Pilley. That being said, it is located within the Green Belt with agricultural fields nearby and the immediate surrounding area would arguably be described as sub-urban, rather than urban. Nonetheless, the building is an historic barn which the Council seeks to protect and preserve, is located in a sustainable location with nearby transport links, including the M1 and Sheffield Road which provides direct transport links to Barnsley Town Centre, Doncaster, Sheffield and beyond. The development seeks to reuse an existing building and it is considered that there is indeed a compromise in that it would be a sustainable form of development in an appropriate location and the 3m acoustic barrier would bring this to a reasonable, albeit higher level. The NIA is also modelled on the redevelopment including the installation of double glazing units which would require a set of planning conditions which require the details of such to be submitted to and agreed by the Local Planning Authority.

It is also acknowledged that the surrounding area is predominantly residential, and there are other nearby residential properties which are at the same or similar distances to the M1, as per the site. This includes a flat above the Cock Inn Pub, immediately adjacent to the site, 2 Rockley Lane and Birdwell Lodge on the opposite site of the M1.

The proposed development is considered to be acceptable in terms of residential amenity.

Highways Safety

Highways DC initially objected to the proposal but sought clarification from the agent on various aspects of the development such as the right of access through an existing public house car park, gradients of the access shown on a plan, bin storage and collection points, and information about how the conflict to the pedestrians accessing the pub will be managed. Upon receipt of this information, highways DC removed their objection to the proposal subject to conditions.

National England have been consulted on the proposal and have not raised any objections.

The proposed development utilises an existing access into the site which leads to 2 x parking spaces which is in line with the Parking SPD and is acceptable in terms of highway safety.

Impact on Ecology

The Council's ecologist has assessed the submitted ecology survey and have agreed with the findings enclosed within this document which shows that the existing building has low potential for roosting bats but recommends that at least 2 x integrated bat roosting and swift boxes and 2 swallow cups, in suitable locations within the site and shall remain in the correct position for the lifetime of the development. Further details are required in regard to this information and a planning condition will be attached to any forthcoming decision notice which requires these details to be submitted and agreed with the LPA prior to commencement of development.

Air Quality Issues

The application has been supported by an Air Quality Assessment which indicates that the air quality level in the area will have a negligible impact with regard to human health and subject to mitigation measures, as outlined in the document, the report does not conflict with any national, regional or local planning policy. The document has been checked by colleagues in Pollution Control who agreed with the conclusions of the report and did not raise any objections.

Coal Mining Risk

Part of the site falls within a high-risk development area in terms of coal mining risk and the application has been submitted by a Coal Mining Risk Assessment which has been assessed by colleagues at the Coal Authority and in SYMAS. Both have raised no objections to the proposal and the details enclosed within the CMRA.

Conclusion

The applicant is seeking approval for the conversion of a former agricultural barn into a 4-bedroomed residential dwelling. The site is located in the Green Belt with Local Plan Policy GB3 allowing for such conversions subject to the building being structurally sound and not requiring substantial or complete reconstruction. The site visit showed that the building is sound, externally and internally. Local Plan Policy GB3 states that, in all cases, the openness of the GB, highways safety or neighbouring residential amenity should not be adversely affected. This is not considered to be the case with no neighbours directly impacted by the conversion subject to conditions.

The site is located in the M1 Corridor which results in high level of noise being received at the property, alongside the requirement for an air quality assessment. This has been submitted alongside a Noise Impact Assessment (2 versions) which have been assessed by colleagues in Regulatory Services who raised no objection subject to conditions. The noise receptors in the external amenity space were on the higher level acceptable (average of 53dB), however national planning practice allows for a compromise. In doing so, the site is considered to be in a sub-urban area, in a sustainable location close to strategic transport networks and retain and re-uses an historic barn which the Council seeks to protect. The compromise is considered to therefore be acceptable subject to conditions requiring further details of the double glazing units and 3m high acoustic fencing as outlined in the recommendations of the NIA. Other consultees (SYMAS, The Coal Authority, Ecology, National England, Drainage, The Conservation Officer) have also not objected to the scheme.

The internal and external spacing standards within the Council's SPD for Design of Housing Development are met, and the general design of the considered to be appropriate with the Conservation officer supporting the amended design.

The proposed development is recommended for approval subject to conditions.

Recommendation

Approve with Conditions