

Planning Statement

Proposed Redevelopment of Detached Garage to Create a New Dwelling
Throstle Nest, Cranberry Road, Cubley, Barnsley, S36 8FB

Prepared on behalf of Mr. Adam Jackson
Date: July 2024
Version: 1

1. Introduction

- 1.1. This Planning Statement (the Statement) has been prepared on behalf of Mr Adam Jackson (the Applicant) in support of a planning application for the redevelopment of a detached garage to create a new dwelling with associated amenity area and parking (the Proposed Development at Throstle Nest, Cranberry Road, Cubley, Barnsley, S36 8FB (the Site)).
- 1.2. This Statement will consider the Site and surrounding context before highlighting the relevant national and local planning policies and assessing the Proposed Development against them and other material matters.
- 1.3. This Statement should be read in conjunction with the submitted supporting documents which consist of:

3287-CDA-00-XX-DR-A-0001 - Existing Site

3287-CDA-00-XX-DR-A-0101 - Existing Plans and Elevations

3287-CDA-00-XX-DR-A-0400 - Proposed Site

3287-CDA-00-XX-DR-A-0403 - Proposed Plans and Elevations

2. The Site

- 2.1. The Site consists of a detached garage which is currently associated with Throstle Nest, a 3-bed dwelling located on Cranberry Lane, approximately 2.5 km south of Penistone and 3 km northwest of Stocksbridge. Cranberry Lane is a standard country road which, alongside other roads, links the two aforementioned settlements. The roads are therefore rural in nature reflecting the wider area.
- 2.2. The Site consists of the detached garage, an area of hard landscaping to the north of it adjacent the road, and a strip of garden land ranging from approximately 10m wide to 5m wide. The entirety of the Site is within the South Yorkshire Green Belt, with the nearest settlement boundaries being that of Penistone and Stocksbridge. The northern boundary of the Site is a dry stone wall with a hedge atop, the western boundary is that shared with Throstle Nest, and the southern and eastern boundaries are mature landscaping in the form of trees, bushes, and hedges.
- 2.3. Looking further afield, to the south of the Site are fields all the way to the A616, to the east are fields and then two large farms with associated buildings, to the immediate north are additional farm buildings with fields beyond, and to the west is Throstle Nest and further fields.
- 2.4. As discussed, Penistone is the closest settlement which provides a wide range of facilities including shops, a railway station, community centres, food and drink establishments,

doctor's surgeries and schools. Stocksbridge to the south is an even larger settlement with an even wider array of services and facilities. Both of these settlements are less than 10 minutes away by car.

- 2.5. Despite being surrounded by fields, the Site is quite secluded unless viewed from the road immediately outside the property. From the west, one cannot see the garage in longer views due to the presence of Throstle Nest. Whilst from the east, large trees and mature planting screen the Site from public viewpoints; the same can be said of the view from the south.



Figure 1: Image from Google Street View from the east of the Site showing the mature screening present. The existing building can be seen just above the for sale signage.

- 2.6. The building on the Site is the existing garage for Throstle Nest. It features a single and a double garage with additional storage space. It is a single storey building with a typical pitched roof built in artificial stone and concrete tiles respectively. Block paving is present to the front of the garage with low stone walls of various types on all sides.

3. **Planning Policy**

- 3.1. National Planning Policy Framework (NPPF) (Updated December 2023)

- 3.1.1. The NPPF is the main national planning policy document and sets out the Government's planning policies for England and how these should be applied. It is a framework for local plan preparation, development and decision making. The following sections and paragraphs are considered relevant to the Proposed Development.
- 3.1.2. Paragraph 2 of the NPPF states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration when making planning decisions.
- 3.1.3. Paragraph 8 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development, which is summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. For the planning system, achieving sustainable development means three overarching objectives:
- a) An economic objective - to help build a strong, responsive and competitive economy,
 - b) A social objective - to support strong, vibrant and healthy communities,
 - c) An environmental objective - to protect and enhance our natural, built and historic environment.
- 3.1.4. Paragraph 10 then goes on to state that, in order to pursue sustainable development in a positive way a presumption in favour of sustainable development should be at the heart of the NPPF. For decision-taking, paragraph 11 states that this means approving proposals that accord with an up-to-date development plan without delay.
- 3.1.5. Section 11 of the NPPF gives regards to making efficient use of land and states that planning policies and decisions should promote the effective use of land in meeting the need for homes, while safeguarding the environment and ensuring safe and healthy living conditions.
- 3.1.6. Part c of paragraph 124 states that planning policies and decisions should give "substantial weight to the value of using suitable brownfield land", whilst part d states that development on under-utilised land and buildings should be promoted and supported by local planning authorities
- 3.1.7. Section 12 of the NPPF is titled 'Achieving well-designed places' and states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 131 goes on to state that good design is a key aspect of sustainable development, creates better places in which to live and helps make development acceptable to communities.

- 3.1.8. Paragraph 135 of the NPPF states that 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 users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 3.1.9. In addition to this, paragraph 136 states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. With this in mind, planning policies and decisions should ensure that existing trees are retained wherever possible.
- 3.1.10. Paragraph 139 of the NPPF is clear that development that is not well designed should be refused, especially where it fails to reflect local design policies. Conversely, significant weight should be given to:
- a) Development which reflects 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; and/or
 - b) Outstanding or innovative designs which promote high levels of sustainability, or help to raise the standard of design more generally in an area, so long as they fit in the overall form and layout of their surroundings.
- 3.1.11. Section 13 of the NPPF relates to protecting Green Belt land, with paragraph 142 stating that the Government attaches great importance to Green Belts, with the fundamental aim of Green Belt policy being to prevent urban sprawl.
- 3.1.12. Paragraph 143 states that the 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.

3.1.13. Paragraph 152 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 goes on to state that '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.

3.1.14. In addition to this, paragraph 154 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are listed as:

- 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 development land, whether redundant or in continuing use.

3.1.15. Section 15 of the NPPF is titled 'Conserving and enhancing the natural environment, and paragraph 180 states that planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) Maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

- d) Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

3.2. Barnsley Local Plan (BLP) (Adopted 2019)

- 3.2.1. The BLP provides local planning policy for the future development of Barnsley up to the year 2033 and sets out the key elements of the planning framework for Barnsley, as well as the approach to its long term physical development to achieve the Council's vision. The following policies are considered to be relevant to the Proposed Development.
- 3.2.2. Policy SD1 'Presumption in Favour of Sustainable Development' states that the Council will take a positive approach that reflects the presumption in favour of sustainable development as per the NPPF when considering development proposals.
- 3.2.3. Policy GD1 'General Development' states that proposals for development will be approved if:
 - There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;
 - They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;
 - They will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land;
 - They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surfaces, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape;
 - Any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated;
 - Adequate access and internal road layouts are provided to allow the complete development of the entire site for residential purposes, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas;

- Any drains, culverts and other surface water bodies that may cross the site are considered;
- Appropriate landscaped boundaries are provided where sites are adjacent to open countryside;
- Any pylons are considered in the layout; and
- Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing.

3.2.4. Policy H9 'Protection of Existing Larger Dwellings' states that development within the curtilage of existing larger dwellings will be resisted where it will have an adverse impact on the setting of the original dwelling, and the size of the remaining garden area. In addition, the loss of existing larger dwellings will be resisted and support will be given to the re-establishment of Houses in Multiple Occupation into single family sized houses.

3.2.5. Policy D1 'High Quality Design and Place Making' sets out the design principles for new development and states that development will be expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, which includes:

- Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features;
- Views and vistas to key buildings, landmarks, skylines and gateways; and
- Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.

3.2.6. Policy D1 goes on to state that development should also:

- Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment;
- Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas;
- Help to transform the character of physical environments that have become run down and are lacking in distinctiveness;
- Provide an accessible and inclusive environment for the users of individual buildings and surround spaces;
- Provide clear and obvious connections to the surrounding street and pedestrian network;
- Ensure ease of movement and legibility for all users, ensure overlooking of streets, spaces and pedestrian routes through the arrangement and orientation of buildings and the location of entrances;
- Promote safe, secure environments and access routes with priority for pedestrians and cyclists;
- Create clear distinctions between public and private spaces;

- Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and details;
 - Make the best use of high quality materials;
 - Include a comprehensive and high quality scheme for hard and soft landscaping; and
 - Provide high quality public realm.
- 3.2.7. Policy LC1 'Landscape Character' states that development will be expected to retain and enhance the character and distinctiveness of the individual Landscape Character area in which it is located.
- 3.2.8. Policy BIO1 'Biodiversity and Geodiversity' states that development will be expected to conserve and enhance the biodiversity and geological features of the borough. Development which may harm a biodiversity or geological feature or habitat will not be permitted.
- 3.2.9. Policy GB1 'Protection of Green Belt' states that Green Belt will be protected from inappropriate development in accordance with national planning policy.
- 3.2.10. Policy GB2 'Replacement, extension and alteration of existing buildings in the Green Belt' states that the 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 will be permitted 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. All development in these instances will be expected to be of a high standard of design and respect the character of the existing building and its surroundings, in its footprint, scale and massing, elevation design and materials, and have no adverse effect on the amenity of local residents, the visual amenity of the area, or highway safety.

4. Assessing the Proposed Development Against Planning Policy

- 4.1. Principle of Development & Green Belt
- 4.1.1. As already discussed, the Site is located within the Green Belt and consists of a detached garage building. The NPPF is clear in paragraph 152 that inappropriate development is harmful to the Green Belt by definition. Paragraph 154 then goes on to state that all new buildings are inappropriate apart from seven exceptions. One of these exceptions (part g) is the partial or complete redevelopment of previously developed land, so long as there is no greater impact on the openness of the Green Belt than the existing development.
- 4.1.2. Previously developed land, also known as brownfield land, is defined as the following in Annex 2 of the NPPF:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or 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.”

- 4.1.3. The underlined text above, which has been added for emphasis, is key in determining the Proposed Development and is subject to previous case law (Dartford Borough Council v Secretary of State for Communities & Local Government (CO/4129/2015)) which concluded that it is only residential land in built up areas which is excluded from the definition of brownfield land and that, therefore, residential gardens outside of built up areas (e.g., those in rural settings) can be classed as brownfield land.
- 4.1.4. The result of the above is the fact that the Site, which is in a rural location and outside of any defined settlement boundaries, is brownfield land and therefore the redevelopment of it is an exception to development in the Green Belt. As such, the Proposed Development is not inappropriate development.
- 4.1.5. What must now be determined is whether the Proposed Development would have a greater impact on the openness of the Green Belt than the existing development. In order to do this, it must first be established that the impact on openness is a matter of planning judgement and therefore there is no formula or one size fits all approach. Secondly it is established that openness is capable of having both a visual and a spatial aspect. Both of these matters have been established in the courts, most notably in Samuel Smith Old Brewery v North Yorkshire County Council.
- 4.1.6. In addition to the above, it is worth clarifying that these court judgements also determined that a visual impact on openness is different to the impact on visual amenity of an area. The example given in this instance is that of a quarry which can be visually open but not visually attractive.
- 4.1.7. Furthermore, openness has been established as something which prevents urban sprawl and a lack of development as per the five purposes of including land in the Green Belt listed in paragraph 143 of the NPPF. The concept of openness therefore also comes down to the average person's perception of openness within the context of the Green Belt; something discussed in a recent appeal in Central Bedfordshire (APP/P0240/W/23/3316421) in which a long, wide building was allowed due to the fact that it would be well screened and acceptable within the surrounding rural context.

- 4.1.8. Turning to the Proposed Development with the above in mind, it is very clear that the views into the Site from the west and the east along the road will not change due to the high level of mature planting which is acting as a screen. The result is that any proposed development on the Site would largely be invisible, therefore protecting the current level of openness.
- 4.1.9. When the building is visible, which is only from the road immediately adjacent to the Site, it is acknowledged that the Proposed Development would see the roof raised in height, in effect creating more volume. However, as per the above discussions and court cases, this change would not see an increase in urban sprawl, nor would it result in an unexpected or jarring change to the openness of the Green Belt. Overall, it would very much be something which is typical across Barnsley and the country in rural locations.
- 4.1.10. Notwithstanding the above, from a volume perspective, the increase in height to create accommodation in the roof can be considered as a proportionate addition to the dwelling as per part c of paragraph 154 and Policy GB1 of the BLP. This volume will only increase by 23% which is within the widely established limits. Similarly, the floorspace of the Proposed Development will only increase the floorspace of the building by 49% which is well within the guidelines of the BLP.
- 4.1.11. As such, it can clearly be established that the Proposed Development does not constitute inappropriate development due to falling under the exception under part g of paragraph 154 of the NPPF, and, that it will not result in a greater impact on the Green Belt in this location.
- 4.1.12. Notwithstanding the above, it is also clear that the Proposed Development will not harm the five purposes of the Green Belt:
1. It will not increase urban sprawl due to the fact that the built footprint will not increase,
 2. It will not cause two neighbouring towns to merge into one another,
 3. It will not result in encroachment as per point one,
 4. It is unrelated to and not near any historic towns, and,
 5. It will not prevent the regeneration of the urban area due to it's very modest scale.
- 4.1.13. As such, the five purposes are protected.
- 4.1.14. Given that the principle of development has been established, other material considerations will now be discussed.

4.2. Design & Amenity

- 4.2.1. Section 12 of the NPPF gives regards to well-designed places and in paragraph 135 states that planning proposals should add to the overall quality of the area and be visually attractive, and this is also present within the BLP.
- 4.2.2. The Proposed Development will see an increase in the roof height and therefore pitch however, the result is not an unusual sight within the wider area and the new dwelling would effectively be akin to a dormer bungalow. In addition, the materials proposed match those that are existing and therefore this will ensure that the character of the area is preserved.
- 4.2.3. As such, it is clear that the Proposed Development is compliant with both national and local policy and cannot constitute a reason for refusal.

4.3. Trees & Landscaping

- 4.3.1. Paragraph 180 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, as well as the wider benefits of trees and woodland. At a local level, policy GD1 of the BLP states that existing trees should be considered on sites to avoid overshadowing, whilst policy BIO1 states that ancient and veteran trees should be protected where identified.
- 4.3.2. The Proposed Development will not impact on any soft landscaping, including trees and hedges, and there will be no increase in hard landscaping. Therefore the Proposed Development is compliant with the above policies.

5. Summary & Conclusions

- 5.1. This Statement has been prepared to support a planning application for the redevelopment of a detached garage to create a new dwelling with associated amenity area and parking at Throstle Nest, Cranberry Road, Cubley, Barnsley, S36 8FB. The Statement has assessed the Proposed Development against the relevant local and national planning policies, including those within the NPPF and BLP.
- 5.2. Through examining court decisions and planning appeals, it has been established that the Site does constitute previously developed land and therefore the Proposed Development is not inappropriate development in the Green Belt.
- 5.3. It has also been established that openness is a broad level concept and a matter of planning judgement, but one that has a visual and spatial element. By virtue of the fact that the Proposed Development is well screened, will not contribute to urban sprawl and is an expected and acceptable form of development in the countryside, there will be no greater impact on openness than the existing building and therefore part g of paragraph 154 of the NPPF is satisfied.

- 5.4. In addition to the above, the Proposed Development will see matching materials and design which is common in the area, and will not impact on any existing soft or hard landscaping.
- 5.5. As a result of the above, the Proposed Development is compliant with all local and national planning policies and therefore, in accordance with the presumption in favour of sustainable development, should be approved without delay.