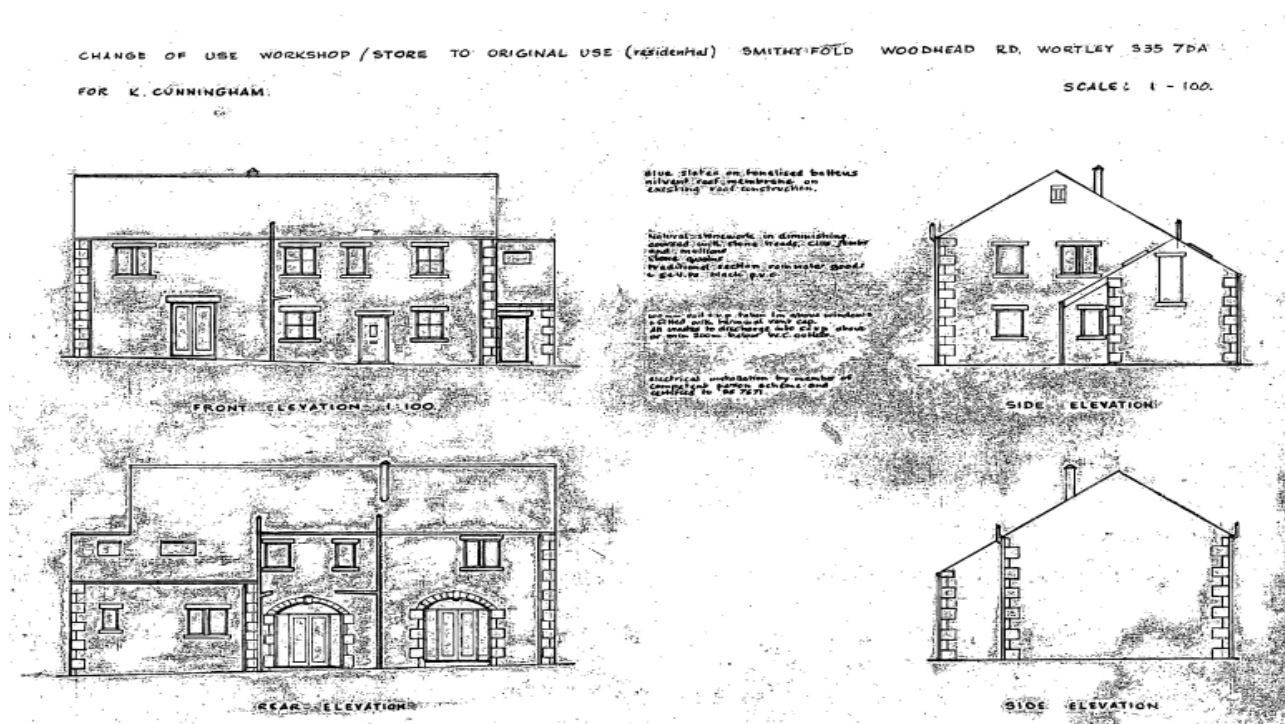


**Conversion of workshop/store into 1no dwellinghouse and the erection of an associated detached double garage to the side**

The site is a building located in the remote small rural hamlet of Smithy Fold. The hamlet contains several buildings that are either in use as private dwellings or farmhouses. The building is stated to have been a historical farmhouse. The building was later re-purposed as a barn and store. Since 1989 the building has been in use as a as a workshop and store. The building is located towards the west of the hamlet of buildings adjacent to open land located to the west and south. Access to the site is via a track (Smithy Fold Farm) that connects with Woodhead Road.

2015/0686 - Certificate of Lawfulness for use of land for stone storage and sales (Lawful Development Certificate Granted)

## Proposed Development



The applicant is seeking approval for the conversion of the existing building (workshop) into one dwelling and the erection of an associated detached double garage to the side. The garage has a length of 7.4 metres and a width of 6.5 metres. The garage will feature a pitched roof with a ridge height of 3.95 metres and an eaves height of 2.5 metres. The materials used will be matching stonework to the proposed dwelling.

## **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 on 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.

## **Local Plan Allocation – Green Belt**

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

In reference to this application, the following policies are relevant:

**Policy SD1: Presumption in favour of Sustainable Development** – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

**Policy 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. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

**Policy 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.

**Policy 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.

**Policy GB1: Protection of Green Belt** – In accordance with the NPPF, the erection of new buildings within the green belt will be classed as ‘inappropriate’ development with sites in the green belt being protected from such.

Exceptions to this are:

- Buildings for agriculture and forestry;

- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries;
- 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;
- The replacement of a building provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling in villages, and limited affordable housing for local community needs; and
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land).

All such buildings will still be considered in terms of their impact on the openness of the green belt and whether they cause other harm. In accordance with the NPPF and as set out in GB1, the Council will not allow proposals for 'inappropriate' development in the Green Belt unless it can be shown that there are very special circumstances that justify setting aside local and national policy.

**Policy GB2: Replacement, extension and alteration of existing buildings in the Green Belt** – Provided that it will not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt, we 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; and
- Dividing an existing house to form smaller units of accommodation.

All such development 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.

**Policy 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.

**Policy 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.

**Policy 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.

#### Supplementary Planning Documents

- Design of Housing Development
- House extensions and Other Domestic Alterations
- Parking

#### Other Guidance

South Yorkshire Residential Design Guidance

#### National Planning Policy Framework

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 policies include:

**Section 12: Achieving well designed places** - The Government attaches great importance to the design of the built environment. 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.

It is important to plan positively for the inclusion of high-quality design for all developments, including individual buildings, public and private spaces and wider area development schemes. Within section 12, paragraph 139 states *"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"*.

**Section 13: Protecting Green Belt land** - The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Section 13 paragraph 154 states *"a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt"*.

Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments;

as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

## **Consultations**

Highways Development Control (DC) were consulted and raised no objections subject to conditions.

Highways Drainage were consulted and raised no objections.

Penistone East Ward Councillors were consulted and raised no objections.

Public Rights of Way were consulted and raised no objections.

Wortley Parish Council were consulted and raised no objections.

## **Representations**

Neighbour notification letters were sent to surrounding properties, a site notice posted, and press notice issued. No comments were received.

## **Assessment**

### Principle of Development

The application comprises a change of use within the Green Belt, to convert a workshop/store into a 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 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.

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 in the hamlet of Smithy Fold; however, the surrounding uses are also residential. 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.

### Impact upon Green Belt

The site falls within Green Belt as such, extensions, roof alterations, outbuildings and other domestic alterations will be considered against the general principles from the SPD and the following criteria;

- The total size of the proposed and previous extension should not exceed the size of the original dwelling
- The original dwelling must form the dominant visual feature of the dwelling as extended

Extensions and alterations to residential properties are considered acceptable where they don't have a detrimental impact on the amenity of surrounding residents, visual amenity and highway safety.

The starting point to assess extensions and alterations within the Green Belt is identifying how the original dwelling stood in 1948, or whenever the house was built, whichever is later. In this case, the building pre-dates 1948, however the dwelling portion of the building was connected to what appears to be a barn and is now detached. There has been no significant change in the size of the dwelling since the early 1900's therefore to ensure an accurate size of the dwelling and not include the barn the size of the original building is taken from current map.

- Original building = 212sqm
- Existing extension = 19sqm
- Proposed outbuilding = 48sqm
- Original building + Existing extension + Proposed outbuilding = 279sqm

As such, the proposal does not exceed the size of the original building and is therefore in compliance with Local Plan Policy GB2.

### Visual Amenity

The conversion will have little impact upon the visual amenity of Smithy Fold Lane as the building is already in situ and used to be a dwelling so very little visual changes are required for its conversion. The materials are to be retained which harmonise with the surrounding area.

The SPD states that *"detached garages should be single storey structures and the eaves height should not normally exceed 2.5 meters from ground level"*. The proposed garage has a pitched roof with a maximum height of 3.95 metres and an eaves height 2.5 metres which is in accordance with

the above recommendation. The garage features matching stonework to the proposed dwelling which is acceptable.

#### 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 facing the garage of the adjacent dwelling and more than 12 metres retained to the side elevation of the dwelling. Likewise, there is no increase overshadowing impact, or loss of outlook to existing residents. The proposed conversion has been designed with adequate room sizes and external amenity space which is in compliance with the standards set within the SPD and the SYRDG.

The SPD states that *“detached garages should relate sympathetically to the main dwelling in style, proportions and external finishes. In most cases, it will not be appropriate for a garage to be sited between the house and the road”*. In this case the garage is sited to the northeast of the dwelling which is acceptable and not forward the principle elevation of the dwelling. The use of the garage will be conditioned for domestic use only.

#### Highway Safety

There will be no impact upon highway safety.

#### Other Matters

There is a public footpath (Wortley 35) that runs directly through the development site between the building and the proposed garage. It appears that what is recorded on the definitive map and what is being walked on the ground are different. Public Rights of Way raised no objections to the proposals, subject to the footpath diversion being completed and confirmed before works start. The applicant has been made aware of this and an informative added to the decision notice.

#### **Recommendation**

**Approve with conditions**