
Appeal Decision

Site visit made on 13 March 2018

by Katie McDonald MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th April 2018

Appeal Ref: APP/R4408/W/17/3190913

Upper Belle Clive Farm, Hartcliff Road, Cubley, Barnsley S36 9FE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs John & Barbara Martin against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2017/0245, dated 17 February 2017, was refused by notice dated 28 June 2017.
 - The development proposed is reinstatement and extension of two storey dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The site is within the Green Belt. Accordingly, the main issues are:
 - i) Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.
 - ii) The effect on the openness of the Green Belt.
 - iii) Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal.

Reasons

Whether the proposal would be inappropriate development within the Green Belt

3. The Government attaches great importance to Green Belts. Policy CSP 34 of the Barnsley Core Strategy (September 2011) (CS) sets out that in order to protect the countryside and open land around built up areas, the extent of the Green Belt will be safeguarded and remain unchanged. Within the explanatory text, it explains that proposals will be allowed in line with those set out in national guidance on Green Belts in Planning Policy Guidance 2 (PPG2).
4. PPG2 has now been replaced by the Framework. Nonetheless, policy on Green Belts is similar, and Paragraph 89 sets out the construction of new buildings should be regarded as inappropriate in Green Belt. Policy GS8A of the Barnsley Unitary Development Plan (December 2000) (UDP) details that any building

proposed for conversion will be structurally sound and capable of conversion without the need for substantial alterations.

5. The site contains the remains of a stone building and outbuilding, located close to the road frontage. The appellants detail that it was last used as a dwelling in 1945. I have also been presented with historic details of former owners and a statement from a previous occupier pertaining to its use as a dwelling.
6. The proposal is for a detached 2 storey dwelling, providing 2 bedrooms along with the removal of the remains of the outbuilding. The dwelling would be sited on the footprint of the existing remains and would reconstruct the former building to its original proportions along with a 2 storey extension to the rear that would encroach in a southerly direction into the countryside. Solar panels are also proposed.
7. The remains are in a very dilapidated condition. The structural inspection¹ submitted details that the proposal would result in around half of the main building being rebuilt. It would require 2 new walls from ground level up, new floors, a new roof and repairs to the existing walls, along with the 2 storey extension to the rear. To my mind, these are substantial and significant alterations to the remains, tantamount to a new build.
8. Thus the exceptions set out in Paragraphs 89 and 90 of the Framework relating to the extension or alteration of a building, the replacement of a building or the re-use of buildings would not be applicable in this instance, nor would the proposal comply with Policy GS8A of the UDP.
9. Nonetheless, another exception set out in Paragraph 89 of the Framework is the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.
10. When comparing the height, volume, bulk and mass of the proposal to both existing remains; it would clearly have a greater impact on the openness of the Green Belt and the purpose of including land within it.
11. Consequently, the proposal would be inappropriate development in the Green Belt. The Framework advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness of the Green Belt

12. The Framework states that an essential characteristic of Green Belts is their openness. Despite the modest scale of the dwelling, it would be sited in a prominent location, and its height, bulk, volume and mass would be significantly bigger than the existing remains. As a result, it would harmfully reduce openness.

Other considerations

13. The appellant argues that the proposal would reinstate a unique landmark to the area and enhance the immediate setting. Whilst the remains may be locally known, they are not listed at a local or national level and could not be

¹ Prepared by Martin Evans Ref 170146

described as a heritage asset. It is clear from photographic evidence that there once was a building in this location, which was historically occupied as a dwelling, but this does not provide sufficient justification to allow a dwelling in this open countryside and Green Belt location, contrary to local and national planning policy. I attach this matter little weight.

14. It is contended that the dwelling would be occupied by the appellants' son, who would work on the small holding as a secondary business in addition to his regular income. No significant evidence has been presented in this regard, and as the appellants' son would work on the site as a secondary business, I do not consider that there would be any proven need to facilitate an additional dwelling on the site. Little weight can be given to this matter.
15. The appellants state that the proposal would enhance the setting with landscaping. The effect of landscaping could ameliorate the effect of the proposal slightly and I attach this limited weight.
16. It is claimed that the building would be self-sufficient and a zero carbon home, along with re-using materials on site and sourcing additional materials locally. Notwithstanding the appellant's assertions, save for the plans detailing solar panels, I have little substantive evidence to demonstrate the self-sufficiency of the proposal and I attach these matters limited weight.
17. It is detailed that there are recent examples of new dwellings in the Green Belt locally. I have no specific details presented and as each proposal is assessed upon its own merits, I attach very little weight to this matter.
18. I am advised that there have been no objections from consultees or neighbouring residents, and the Parish Council and local Councillor supported the proposal. Furthermore, no harm has been demonstrated with regard to highway safety or ecology. I note that the scheme has been designed by a reportedly local award winning architect and that no harm has been raised in association with the design of the building. These matters are of neutral value and do not add any weight in favour of the proposal.
19. It is asserted that the appellants would also like the option to use the proposal for tourist accommodation, yet very little detail has been presented with regard to this matter. Nevertheless, the proposal before me is for a dwelling, not a holiday let and I have considered it for that purpose only.

Conclusion and Green Belt balancing exercise

20. Having considered all matters raised in support of the proposal, they collectively would not clearly outweigh the totality of harm arising from inappropriateness, the purpose of including land within the Green Belt and the harm to the openness of the Green Belt, of which attract substantial weight.
21. Consequently, very special circumstances to justify the proposal do not exist. The proposal is contrary to the guidance in the Framework and Policy CSP 34 of the CS and for the reasons given above; I conclude that the appeal should be dismissed.

Katie McDonald

INSPECTOR