

2024/0089

Mr and Mrs J Connors

Change of use of land from former allotments to caravan site for gypsy traveller family with associated development including hard standing, boundary wall and gate, and day room (Part Retrospective)

Jimboy Stables, off Mackey Lane, Brierley, Barnsley, S72 9LD

Description

The site is situated off Mackey Lane, Brierley, within an area of former allotment gardens known as 'Brierley Allotments' which was divided into plots. The site extends to just over 1000sqm and replaces approximately 2 allotments which previously occupied the land.

Hard standing comprising gravel surfacing has been laid on the site which is enclosed with a high stone wall. Three small landscaped areas and trees have been planted either side of the entrance gates.

A twin unit mobile home is sited at the northern end of the site and the remainder of the yard area is used for the storage of a touring caravan and parking of vehicles. The mobile home is raised off the ground and has stair access. A timber shed accommodates a toilet and washing facilities.

Planning History

Enforcement Notice issued 26th October 2023

The Enforcement notice stated:- 'Heavy plant and machinery have been undertaking operations to the land including the removal of topsoil, levelling of the land, erection of boundary walls and creation of an access point. Articulated lorries are importing aggregate and hardcore to the site to develop it further without any planning permission in place.

A wall plaque has been inserted into the newly created boundary wall 'Jimboy Stables' which further highlights its intended use. The development is therefore contrary to Policy T4 of the Local Plan which states, New development and Transport, expects new development to be designed and built with safe, secure, and convenient access and movement. Access to the site is located off a public right of way, which is narrow and unmade and not suitable for large numbers of vehicle movements into and out of the site.

The Council considers that it is expedient to issue this enforcement notice having regard to the demonstrable harm that the inappropriate development has on the Green Belt Land, furthermore it is also considered that enforcement action is in the public interest.

The breach of planning control alleged

Without planning permission The carrying out of the following development:

- (i) The use of the Land for the human habitation of Caravans and storage of associated items and vehicles. And
- (ii) Operational Development comprising of the construction of walls and gates, the laying of aggregate/hardcore, the creation of a new access, and the laying of utility services.

Reason for issuing the notice

It appears to the Council that the Unauthorised Development been carried out within the last ten years in relation to paragraph 3(i) and four years in relation to paragraph 3(ii) of this notice.

The site lies within the Green Belt on the approved Local Plan Maps, wherein it is the policy of the Local Planning Authority not to permit development except in very special circumstances or subject to the exceptions set out in paragraphs 145 and 146 of the NPPF.

Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 144 states when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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.

The Council therefore considers that the use of heavy plant and machinery at the land, construction of walls and gates, including the laying of aggregate/hardcore as well as preparation work associated with the laying of utility services constitutes development which is harmful, by reason of the design and appearance to the host site and wider green belt, which is considered intrusive and harmful to the visual amenity and wider views of the area.

This unregulated form of development affects the wider residential amenity of the area. The development is contrary to Local Plan Policies GD1 (General Development), Poll1 (Pollution), GB1 (Protection of Green Belt).

- I. Cease the use of the Land for the human habitation of caravans and the storage of associated items and vehicles.
- II. Remove from the Land all Caravans and associated stored items and vehicles.
- III. Demolish/remove all the Unauthorised Works, described in paragraph 3(ii) of this notice.
- IV. Remove from the Land any waste or other materials arising from performance of paragraph 5(iii)
- V. Cultivate the Land and sow agricultural grass seed across the site to assimilate the Land back into the wider environment.

Timescales for compliance with the Enforcement Notice - within three months from date this notice takes effect.'

Stop Notice served 26th October 2023.

The Stop Notice stated: On 26th October 2023 the Council issued an Enforcement Notice (of which a copy is attached to this notice) alleging that there has been a breach of planning control on Land on the north-east side of Mackey Lane, Shafton, Barnsley, S72 9LD.

This Notice is issued by the Council, in exercise of their power in section 183 of the 1990 Act, because they consider that it is expedient that the activity specified in this notice should cease before the expiry of the period allowed for compliance with the requirements of the Enforcement Notice on the land described in paragraph 3 below. The Council now prohibits the carrying out of the activity specified in this notice. Important additional information is given in the Annex to this notice.

The land or premises to which this notice relates.

Land on the north-east side of Mackey Lane, Shafton, Barnsley, S72 9LD (as shown edged red on the attached plan).

Activity to which this notice relates.

Without planning permission The carrying out of the following development:

- (i) The use of the Land for the human habitation of Caravans and storage of associated items and vehicles
- (ii) Operational Development comprising of the construction of walls and gates, the laying of aggregate/hardcore, the creation of a new access, and preparation work associated with the laying of utility services

What you are required to do.

Cease all the activity specified in this notice.

When this notice takes effect.

Under Provisions of Section 184(3) of the Town and Country Planning Act (amended) states that a stop notice effective date must normally not be earlier than 3 days (or later than 28 days) after the date when the notice is served. But, when there are special reasons for specifying an earlier date, a stop notice may take effect before 3 days, or immediately. In this case the Council considers the notice should take effect immediately (upon display and/or service at the site) due to the harm which is taking place. heavy plant and machinery are undertaking works within this green belt location at pace and if the notice does not take effect immediately, irreparable harm and abortive works, at substantial costs may be incurred to remediate the site in accordance with the requirements of the enforcement notice which is attached to this stop Notice.

The Council considers that it is expedient to issue this Stop Notice having regard to the demonstrable harm the unauthorised development causes and it is also considered that enforcement action is in the public interest.

This notice takes effect on 26th October 2023 (when the notice is displayed and/or served) when all the activity specified in this notice shall cease.'

The applicant has now submitted this part retrospective application, dealing with the above breaches of permission.

Proposed Development

The proposal involves the change of use of land from former allotments to caravan site for gypsy traveller family with associated development including hard standing, boundary wall and gate, and day room.

The application is part retrospective and the works have been completed in part. The applicants moved onto the land in October 2023 in their caravan. A twin unit mobile home is sited at the northern end of the site and the remainder of the yard area is used for the storage of a touring caravan and parking of vehicles. A timber shed accommodates a toilet and washing facilities. Hardstanding has been laid which consists of gravel and hardcore, and the site is enclosed by a newly formed high stone wall.

Planning permission is sought for a large day room. The building would be designed for a wheelchair user, to provide for a hoist in the bathroom and space to store medical equipment. The Day Room would have level access and an open plan arrangement. It would also provide space for all the family so that they can all assist with the care of the family member. If permission is granted this would replace the existing small timber shed.

The planning statement states that:- 'Permission is sought on a permanent basis but in the alternative the Applicant would invite the Council to consider a temporary permission and/ or a personal condition as there are compelling personal circumstances in support of this application.' Justification has been submitted with the application which outlines the personal

circumstances of the applicant and their dependants. The applicant owns the land in which the application relates and the adjacent field.

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 site is allocated as Green Belt, Green Space and a Local Nature Reserve within the Local Plan and therefore the following policies are relevant:

Policy GT1 'Sites for Travellers and Travelling Show people'

Policy D1 'High Quality Design and Place Making'

Policy GD1 'General Development'

Policy T4 'New development and Transport Safety'

Policy Poll1 'Pollution Control and Protection'

Policy BIO1 'Biodiversity and Geodiversity'

Policy GB1 'Protection of Green Belt'

Policy GB3 'Changes of use in the Green Belt'

Policy GS1 'Green Space'

NPPF (Updated 20th December 2023)

The NPPF 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.

Paragraphs of particular relevance to this application include:

Para 7 - The purpose of the planning system is to contribute to the achievement of sustainable development.

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development.

Para 96 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings

Para 105 - The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.

Para 107 - Policies for managing development within a Local Green Space should be consistent with those for Green Belts.

Para 131 - The creation of high-quality 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.

Para 152. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para 153. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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.

Para 154. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.

Planning Policy for Traveller Sites (Updated 19th December 2023)

This document sets out the Government's planning policy for traveller sites and should be read in conjunction with the NPPF.

Policy E: Traveller sites in the Green Belt

Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development. Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.

Green Belt boundaries should be altered only in exceptional circumstances. If a local planning authority wishes to make an exceptional, limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and not in response to a planning application. If land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a traveller site only.

Policy H: Determining planning applications for traveller sites

Planning law requires that applications for planning permission must be determined in accordance with the development plan. unless material considerations indicate otherwise.

Applications should be assessed and determined in accordance with the presumption in favour of sustainable development and the application of specific policies in the National Planning Policy Framework and this planning policy for traveller sites.

Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites
- b) the availability (or lack) of alternative accommodation for the applicants
- c) other personal circumstances of the applicant
- d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- e) that they should determine applications for sites from any travellers and not just those with local connections

However, as paragraph 16 makes clear, subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.

Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.

When considering applications, local planning authorities should attach weight to the following matters:

- a) effective use of previously developed (brownfield), untidy or derelict land
- b) sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness
- c) promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children
- d) not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community

If a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission. The exception is where the proposal is on land designated as Green Belt; sites protected under the Birds and Habitats Directives and / or sites designated as Sites of Special Scientific Interest; Local Green Space, an Area of Outstanding Natural Beauty, or within a National Park (or the Broads).

Local planning authorities should consider how they could overcome planning objections to particular proposals using planning conditions or planning obligations including:

- a) limiting which parts of a site may be used for any business operations, in order to minimise the visual impact and limit the effect of noise

b) specifying the number of days the site can be occupied by more than the allowed number of caravans (which permits visitors and allows attendance at family or community events)

c) limiting the maximum number of days for which caravans might be permitted to stay on a transit site

Consultations

Highways – No objections

Drainage – No objections, details to be checked by Building Control

Pollution Control – No objection subject to conditions

Ward Councillors – No comments received

Yorkshire Water – No objections subject to condition

PROW – No objection subject to informative

Representations

1 letter of objection and 1 letter of support has been received. The following comments have been made:-

Objection:-

- Concerns relating to electricity supply
- 'The Connors' have made reference to the poor state of the allotments, this is because they have failed to allow any new tenants on the allotment and have not provided any clarity over the longevity of the tenancy for existing allotments. Individuals are reluctant to continue to maintain them and plant new stocks as they are unclear when they will be "kicked off".'
- 'What is the intention for the remaining allotment land, will the Connors' family allow the allotment tenants to continue or will they be looking to start a further development if this one is approved.'
- 'Other applications of this nature submitted by Mr Connors have all been declined based on the fact that there is no need for additional traveller sites in the Brierley area, if this application is approved it will provide the Connors' with the opportunity to further develop the allotment site into a traveller site.'
- 'The family make reference to clearing the land off where the new site has been built, what they fail to point out is that they had toxic fires to burn the rubbish and the rest was banked up in the field area of the land they own at the back of the allotments, not a great deal of cost or hardship for them.'
- 'The family have continued to ignore all existing regulations, they have had no permission to connect to sewerage etc and are clearly being allowed to get away with it.'

Support:-

- 'I've nothing but praise for the work he's done. Before he cleared the area I and other neighbours were overrun by rats for many years and the overgrown land for forever growing through the fences. I've spoke to Jim since he's been working on the area and he's always been respectful of what I've asked in regards to blocking mine and other neighbours views. He's not effecting anyone with the work he's carried out and made the area a much nicer place.'

Assessment

Principle of Development

The NPPF states that Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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.

The construction of new buildings is inappropriate in the Green Belt. Gypsy and Travellers sites and their associated buildings and structures are not listed as one of the exceptions in paragraphs 153 and 154 of the NPPF, as such, the proposal is an inappropriate development within the Green Belt, unless very special circumstances can be demonstrated.

Policy E in Planning Policy for Travellers sites echoes the NPPF and states 'Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development'.

Local Plan Policy GT1 'Sites for Travellers and Travelling Show people' is also of relevance to this application and states that 'Sites will be allocated to meet the shortfall in provision of permanent sites. The following criteria will be used in allocating sites and in determining planning applications: In terms of their broad location sites will:

- Have good access to facilities; and
- Be primarily located within urban areas. In terms of their specific location the sites will:
Be in an area of low flood risk;
- Be unaffected by contamination, unless the site can be adequately remediated;
- Have good vehicular and pedestrian access from the highway; Provide a good safe living environment with appropriate standards of residential amenity; and
- Have no other restrictive development constraints.

Self-sought provision will be positively considered where it accords with this policy and other relevant policies in the Local Plan.'

As this is self-sought provision, the application must adhere Policy GT1. The site does have access to local facilities; however, it is clearly located outside of the urban area within an area of Green Space and Green Belt, which is separated from the built up area of Brierley contrary to Policy GT1.

Policy H in the Planning Policy for Travellers sites provides guidance for determining planning applications for traveller sites which includes the provision of sites in the area and personal circumstances of the applicant. The application is accompanied by a Planning Statement. It briefly sets out the personal circumstances of the family and disability of a dependant child. The planning statement states that 'Even the twin unit mobile home has its limitations.' And 'hoists to help with bathing and toileting and these can not be retrofitted to a mobile home. It will require a structurally sound brick building-hence the need for a day room block.'

As stated, planning permission is also sought for a large new brick built day room. This is in addition to the existing mobile home and other associated development already on site. The building would be designed for a wheelchair user, to provide for a hoist in the bathroom and space to store medical equipment. Whilst it is appreciated that there are personal circumstances of the family and the disability of a dependant child, it is not felt that this would justify inappropriate residential development within the Green Belt. The mobile home is raised off the ground and has stair access which is not ideal accommodation for a disabled person. The planning statement also confirms that the existing mobile home has 'its limitations for a

disabled person', but also a new building would also be required in order to cater for their needs which would further harm the character and openness of the Green Belt.

The statement also outlines the unmet need within the borough, however, Policy E in Planning Policy for Travellers states 'subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances'.

Planning Guidance states that Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure. The proposal is contrary to Local Plan Policy GB3 'Changes of Use in the Green Belt' and national planning guidance as the development would 'have an adverse effect on the amenity of local residents, the visual amenity of the area, or highway safety; and would not 'preserve the openness of the Green Belt'. The hard standing, enclosing walls, and permission being sought for a large day room and twin unit mobile home, undoubtedly has a more urbanising appearance than the previous allotments. By placing structures and areas of hardstanding on an area or previously undeveloped Green Belt has a significant detrimental impact on the openness of the Green Belt.

As outlined above, the benefits of the proposal outlined in the submission clearly do not outweigh harm and proposed harm to the Green Belt so as to establish very special circumstances, therefore, the development is inappropriate development and contrary to Local Plan Policies GB1 and GB3, the NPPF and Planning Policy for Travellers.

Greenspace

The site is allocated within the Local Plan as Greenspace, allotment gardens. In terms of Local Plan Policy, Policy GS1 Green Space – states that:-

'We will work with partners to improve existing green space to meet the standards in our Green Space Strategy. Green Spaces are green open areas which are valuable for amenity, recreation, wildlife or biodiversity and include types such as village greens, local open spaces, country parks, formal gardens, cemeteries, allotments, woodlands, recreation grounds, sports pitches and parks.

Proposals that result in the loss of green space, or land that was last used as green space, will not normally be allowed unless:

'An assessment shows that there is too much of that particular type of green space in the area which it serves and its loss would not affect the existing and potential green space needs of the borough; or

The proposal is for small scale facilities needed to support or improve the proper function of the green space; or

An appropriate replacement green space of equivalent or improved quality, quantity and accessibility is provided which would outweigh the loss.

In order to improve the quantity, quality and value of green space provision we will require qualifying new residential developments to provide or contribute towards green space in line with the standards set out in the Green Space Strategy and in accordance with the requirements of the Infrastructure and Planning Obligations Policy. The Supplementary Planning Document 'Open Space Provision on New Housing Developments' offers guidance to developers on what will be expected in terms of open space provision in order to achieve those standards. Where there is a requirement to provide new green space an assessment will be carried out to determine the most appropriate provision, taking into account site characteristics and constraints. In cases where it is deemed unsuitable to make provision for open space within or adjacent to a development site, suitable off-site open space facilities may be acceptable either as new facilities or improvements to those existing. Where appropriate new green space should secure access to adjacent areas of countryside.'

The SPD Open Space on New Housing developments provides guidance in terms of how we will assess planning applications that propose redevelopment of green space for alternative uses. Section 4 of the SPD states that:-

'Green spaces are 'green' open areas which are valuable for amenity, recreation, wildlife or biodiversity and include types such as village greens, local open spaces, country parks, formal gardens, cemeteries, allotments woodlands wildlife areas, recreation grounds, sports pitches, play areas and parks. We will seek to protect green space from development, particularly where an assessment indicates that there are current deficiencies within an area.

When we receive a planning application to redevelop green space for an alternative use we will undertake a green space assessment to determine the level of provision within the area. In some instances, material considerations may indicate approval for development on green space, in which case we will seek compensation in order to secure community benefit to outweigh the loss of the green space. As set out in Policy GS1, compensation could include on-site retention and enhancement, off-site replacement or financial contribution. In instances where the Council deem it appropriate to seek a financial contribution towards improvements of an existing facility nearby, the contribution will be calculated at £125,640 per hectare of green space that will be lost to development.

The contribution has been calculated using the Council's current land valuation for amenity land which equates to £29,640 per hectare, and the cost of providing 1 hectare of informal open space including 15 years maintenance which equates £96,000. These figures will be reviewed periodically if the land value and/or costs change.'

Neither sufficient justification nor an assessment of the loss of the allotment gardens Green Space has been submitted and neither has an appropriate replacement Green Space of equivalent or improved quality, quantity and accessibility been provided. In addition no financial contribution towards the loss of Green Space to potentially outweigh the loss has been proposed by the applicant, therefore the proposal is contrary to Policy Local Plan Policy GS1.

Visual Amenity

Planning Guidance states that Local planning authorities should very strictly limit new traveller site development in open countryside that are away from existing settlements or outside areas allocated in the development plan. When considering applications, local planning authorities should attach weight to the following matters which include, 'not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.'

The site sits outside of the village envelope, separated from the neighbouring buildings within an area of allotment gardens and allocated Green Belt and Green Space. As such, the development of this site for residential purposes would be out of character with its immediate surroundings, contrary to Local Plan Policy D1 and GB1.

The entrance walls and gates which have already been built, and form part of this application, are relatively imposing given their size and materials, as such, their appearance is visually jarring and out of context with this location.

Biodiversity

The site is set within the Dearne Valley Green Heart Nature Improvement Area. No ecology assessment has been submitted with the application. In the absence of an assessment of the impact of the proposal upon Biodiversity and mitigation measures, the works are contrary to the aims and objectives of Policy BIO1 Biodiversity and Geodiversity which states that Development will be expected to conserve and enhance the biodiversity and geological features. The development is therefore contrary to local Plan Policy BIO1 'Biodiversity and Geodiversity'

Highways

Highways have been consulted as part of the proposal. The Highways Officer states that: 'The applicant is taking access from an existing access served from Barnsley Road which provides rear access to several properties along Barnsley Road and direct access to a dwelling served from Mackey Lane itself. Mackey Lane is by its nature a rural track, also serving allotments and field access with street view images showing an established vehicle track along the lane. With this in mind, I am of the opinion that one additional property being served from the access would not be detrimental to highway safety, nor would the cumulative impact on the network be severe and as such I have no objections to the proposal from a highways perspective.'

Impact on PROW

Although no Public Rights of Way appear to be directly affected by the proposed development, a Public Footpath (Brierley 1) shares the private vehicular drive from Barnsley Road past the development site.

The applicant should be aware that the Council is only responsible for maintaining the footpath in a safe condition for pedestrians. Any maintenance to vehicular standard is the responsibility of the landowner and any damage caused to the surface by vehicles should be repaired by

the landowner. The footpath runs adjacent to the site. This should remain safely open and available for the public to use at all times and should be secured via an informative.

Conclusion

In terms of the planning balance, the weight given to inappropriate development in the green belt and the other harm outlined, in relation to the impacts on visual amenity, green space, and biodiversity, is clearly not outweighed by the justification put forward by the applicant.

The proposed change of use of the land and stationing of caravans and associated outbuildings would constitute inappropriate development, harmful to the character and openness of the Green Belt. No compelling special circumstances have been put forward to outweigh the harm to the Green Belt and, as such, the proposal is contrary to Local Plan Policies GB1 and GB3, the NPPF and Planning Policy for Travellers Sites. In addition, the built development and large stone walls erected around the boundary of the site are imposing and out of character and as such, their appearance is visually jarring and out of context with this Green Belt location, contrary to policy D1 of the Local Plan.

Neither sufficient justification nor an assessment of the loss of the allotment gardens Green Space has been submitted and neither has an appropriate replacement Green Space of equivalent or improved quality, quantity and accessibility been provided. In addition no financial contribution towards the loss of Green Space to potentially outweigh the loss has been proposed by the applicant, therefore the proposal is contrary to Policy Local Plan Policy GS1.

The site is set within the Dearne Valley Green Heart Nature Improvement Area. In the absence of an assessment of the impact of the proposal upon Biodiversity and any mitigation measures, the works are contrary to the aims and objectives of Policy BIO1 Biodiversity and Geodiversity which states that Development will be expected to conserve and enhance the biodiversity and geological features.

Recommendation

Refuse