

2023/0088

Mr & Mrs Steve & Teresa Rymer

Demolition of existing building and construction of new detached house

Land North of Cooper Lane, Hoylandswaine, Sheffield

Background

1993/0663 – Erection of stable - Approved with conditions

2010/0718 - Alterations and resurfacing of field access lane leading to existing stable combined with alterations and resurfacing to collecting areas to the north and south of the stable. (Retrospective) – Approved

2014/0624 - Conversion of existing stable into residential dwelling (resubmission) – Approved with conditions

2022/0962 - Demolition of existing building and construction of new detached house –

The proposed dwelling was designed with a floor area of approximately 640sqm. This amounted to 428 sqm at ground floor level and 212sqm at first floor level.

The dwelling was designed as a curved, almost L-shaped design, two storeys in part, with a large swimming pool at ground floor and a car port with a green roof. The dwelling had been designed with a pitched roof and had large windows and extensive glazing to the southern elevations to maximise solar gain. The dwelling was to be finished in a light coloured render and a natural slate roof, with dark framed windows. The agent stated within the planning statement that the building would be constructed to Passivhaus standards, stating that: - 'This will be a highly sustainable building, built to Passivhaus standards. It will be an exemplar of new construction in a rural location and will use renewable technologies to be largely self-sufficient. Construction materials will minimise the use of concrete and embodied carbon.'

Refused for the following reasons:-

The site lies within the Green Belt on the approved Barnsley Local Plan. Paragraph 149 of the NPPF allows for 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. In the opinion of the Local Planning Authority the proposed large dwelling would have a greater impact on the openness and character of the Green Belt than the existing stables. As such the proposal would create significant harm to the visual amenity of the Green Belt and a loss of openness, contrary to the NPPF and policy GB1 of the Local Plan. The proposal therefore constitutes inappropriate development contrary to paragraphs 147 and 148 of the NPPF and there are insufficient very special circumstances to justify the granting of planning permission in this instance.

The applicant has not submitted sufficient details to enable an adequate assessment to be made of the effect of the proposal on Trees and Biodiversity, contrary to Local Plan Policies BIO1 Biodiversity and Geodiversity and D1 Design.

Description

The site consists of an existing stone built stable building with associated hardstanding and surrounding curtilage. The stables are located to the north of Cooper Lane on the outskirts of the village of Hoylandswaine in the western rural part of the Borough. The stables were granted permission in 1993 and are of solid stone construction facing a north/ south direction. The stables are located at a higher level relative to Cooper Lane and as such only the roof of the stable block can be seen from Cooper Lane. Trees run around the site to the north and east which also screen the site, as well as a hedgerow which forms the west boundary with the adjoining field.

The access has been constructed off Cooper Lane and a hardcore area surrounds the stable block. The conversion of the stable into a dwelling has commenced, however it appears that only the roof of the building has been removed and the building is therefore not currently being used as a dwelling. No inspections have taken place by Building Control.



Site photos 2014



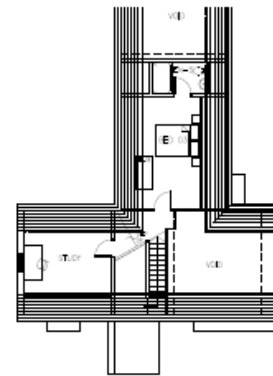
Proposed Development

The proposal involves the demolition of the existing stable building and replacement with one dwelling. The amended proposed dwelling has an overall floor area of approximately 155sqm. The rooms in the roofspace are not calculated in line with Local Plan Policy GB2. The existing building on site is single storey and has a floor area of approximately 136sqm. The previously approved conversion 2014/0624 proposed rooms within the roofspace. The curtilage to the proposed dwelling is similar to the curtilage approved with the previous stable conversion application 2014/0624.

The proposed dwelling has been designed as a T-shaped design with a pitched roof and gable ends. A small flat roofed canopy is also proposed over the front entrance door on the southern elevation. The ground floor of the dwelling would include the majority of the living accommodation including two bedrooms. One bedroom with en-suite and a study are also proposed within part of the roof space. These rooms would be accessed via a staircase from the ground floor hallway.

Aluminium window openings are proposed on all elevations and the external walling materials proposed consist of natural split face and tumbled stone and render, with a small section of black-tiled feature cladding on the southern elevation. Natural slates are proposed to cover the roof.

Three parking spaces are proposed at the rear/northern end of the site. These would be accessed via the existing driveway. A new electric entrance gate is proposed at the site entrance. The existing stone walls and gate posts would be retained and upgraded. The main garden/outdoor amenity areas are proposed at the front and on either side of the dwelling. The proposed driveway would be constructed of compacted stone gravel (with tarmac for the first 10 metres to avoid wash out to the road) and metal estate fencing is proposed around boundary.



FF. PLAN

[illegible]

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 property is located within the rural Barnsley and is designated as Green Belt in the adopted Local Plan. The following policies are therefore of relevance:-

Local Plan

SD1 – Sustainable Development
GD1 – General Development
LG2 – The Location of Growth
H1 – The Number of New Homes to be Built
H2 – The Distribution of New Homes
H4 – Residential Development on Small Non-allocated Sites
H6 – Housing Mix and the Efficient Use of Land
T3 – New Development and Sustainable Travel
T4 – New Development and Transport Safety
D1 – High Quality Design and Place Making
LC1 – Landscape Character
BIO1 – Biodiversity and Geodiversity
GB1 - Protection of Green Belt
GB2 - Replacement, extension, and alteration of existing buildings in the Green Belt
GB3 – Changes of use in the Green Belt
CC1 – Climate Change
CC2 – Sustainable Design and Construction
CC4 – Sustainable Drainage Systems (SuDs)
RE1 – Low Carbon and Renewable Energy
Poll1 – Pollution Control and Protection

SPDs (Supplementary Planning Document)

Supplementary Planning Document – Design New Housing Development
Supplementary Planning Document – Parking
Supplementary Planning Document – Trees and Hedgerows
Supplementary Planning Document – Sustainable Travel
The South Yorkshire Residential Design Guide (SYRDG)

NPPF

The National Planning Policy Framework 2021 (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 there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

5 Delivering a sufficient supply of homes

Paragraph 80 relates to isolated homes in the countryside, allowing them only under specific circumstances including where the design is of exceptional quality in that:

“it is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area”.

12 Achieving well designed places

Paragraph 134 requires that development that is not well designed be refused, but 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 raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surroundings’.*

13 Protecting Green Belt Land

Paragraph 147 states that, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 148 states that 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.

Paragraph 149 states that 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.

15 Conserving and enhancing the natural environment

Para 174 states that planning decisions should contribute to and enhance the natural and local environment by 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.

Para 180 states that when determining a planning application, local authorities should apply the following principles a) if significant harm to biodiversity, resulting from development, cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Penistone Neighbourhood Development Plan (August 2019)

BE1: Design of the built environment

All new housing proposals should adhere to the following principles, where it is appropriate:

- a) Where new housing developments are proposed, homes should be reflective of local architecture and in keeping with the surrounding area. In particular, the following design principles should be adhered to:
 - To have no houses above two storeys on the perimeter of built up areas where it adjoins open countryside, where they have a greater impact upon the surrounding area in order to preserve and enhance the character of the area, in particular allocation sites HS70, HS71, HS74, HS75 as shown in Barnsley Local Plan.
 - New developments should use external building materials that reflect the characteristic of development in the locality.
- b) All residential developments will be expected to be designed so as to be sensitive to any existing wildlife habitat and corridor and should be appropriately landscaped and in particular development on the edge of the existing settlements shall incorporate tree planting so as to soften the built-up edge of the settlement as viewed from the countryside. Any residential development of 20 or more units will be expected to make provision for the appropriate amount of open space, in accordance with Barnsley MBC standards.
- c) Development proposals should respect and maintain key views as identified on maps 2 and 3, in order to maintain the character and appearance of the town and villages.

Consultations

Penistone Town Council – No comments received

Cawthorne Parish Council – No comments received

Legal – The development of the conversion 2014/0624 has commenced

Yorkshire Water Services Limited – No comments received

Coal Authority – No objection subject to condition

SYMAS – No objection subject to condition

Drainage – Details to be checked by Building Control

Biodiversity – No objections subject to conditions

Representations

No letters of representation have been received.

Assessment

Principle of development

The site is situated within the Green Belt as allocated within the Barnsley Local Plan. The proposal involves the replacement of the existing stable building with a new dwelling, therefore para 149 of the NPPF is of relevance. The building has a previous planning permission to convert the building into one dwelling, however it appears that only the roof of the building has been removed. No further works have taken place and the building is not currently occupied as a dwelling, which means that the building is still a stable in terms of its existing use. The development would therefore not amount to the replacement of an existing dwelling and could not be considered under Local Plan policy GB2 'replacement, extension, and alteration of existing buildings in the Green Belt' as the proposed dwelling would not be in the same use as the existing stable.

In terms of the status of the land, agricultural land and buildings are specifically excluded from the definition of previously developed land, however the keeping of horses for recreational use does not fall within the definition of agriculture. The site would therefore fall under the definition of 'previously developed land' as set within the NPPF and 149 point (e) would be of relevance. The NPPF states a local planning authority should regard the construction of new buildings as inappropriate in Green Belt, with certain exceptions which include limited infilling or the partial or complete redevelopment of previously developed land (PDL), 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.*

In terms of the use, the building was previously used as a stable, however does have a previous extant conversion permission to be used as a dwelling. The residential use and the curtilage of the site has already been established by the previous planning permission. In terms of the developments impact upon openness, the existing building is a small, single

storey stone built building of approximately 136sqm. The proposal involves the demolition of the existing stable building and replacement with one detached L shaped dwelling. The proposed dwelling has an overall floor area of approximately 155sqm. The rooms in the roofspace are not calculated in line with Local Plan Policy.

As shown with the above calculations, the floor spaces show that the dwelling would be slightly larger in floor area than the existing approved dwelling by approx,19sqm which is an approx 14% increase. The NPPF states that the development of previously developed land should not have a greater impact on the openness of the Green Belt than the existing development, however in this instance the 14% additional floor area is considered to be acceptable increase due to a significant portion of the floor area being set to the rear of the site and further out of view from public vantage points, it would therefore not appear to be significantly 'materially larger' nor would have a significant impact upon the openness of the Green Belt. Subject to the removal of permitted development rights and subject to assessment against other Local Plan policies as addressed below, the proposal is therefore acceptable in principle.

Visual Amenity

The replacement building has been designed as a single storey T-shaped dwelling with associated parking and landscaping. It is considered that the design of the proposed dwelling would be sympathetic in nature and in keeping with the local character of the area in terms of scale and height. the proposal includes materials such as natural stone, render and slates which are in keeping with the local area.

The proposed development is considered to be acceptable in relation to design and visual amenity and complies with Local Plan Policies D1, BE1 and GD1, and the guidance within the Barnsley Design of Housing Development SPD.

Residential Amenity

In terms of any impact upon adjacent dwellings the proposed dwelling is set a significant distance away and would not cause any significant impact upon residential amenity by way of overlooking or loss of privacy. The proposed dwelling is large and is set within a large plot, therefore would meet the internal and external spacing standards set within the SYRDG and the SPD Design of Housing Development. The proposal is therefore acceptable in terms of residential amenity.

Highway Safety

The site is located on Cooper Lane, a rural access route, with no footways or street lighting and is subject to the national speed limit. Access to the site will be gained over the existing access on Cooper Lane. There is adequate space to the front/side of the proposed dwelling in order to park and turn two vehicles as required by the SPD.

The site has an established use as a stable and paddock, therefore any increase in vehicular movements from the proposed dwelling, would not be of any significant detriment to highway safety given the existing use and the previously approved application to convert the building into a dwelling. The proposal is considered in accordance with policy T4 of the Local Plan, subject to conditions.

Impact on protected species

Due to the nature of the building and its location, it must be assessed whether the development will cause any impact upon protected species such as bats. The bat and bird survey report details the methodology and findings of a survey of the building proposed for demolition to

facilitate the proposed development. The survey methodology used is considered sufficient. Bat droppings were identified within a wall crevice and DNA assessment of the droppings confirmed that these belong to common pipistrelle. The applicant's Ecologist and the Council's Ecologist consider that the building is likely to be used as a day roost by a small number of common pipistrelle bats and is therefore a roost of low conservation importance.

The report sets out that the demolition of the building will either need to be registered on the Bat Mitigation Class Licence or that a European Protected Species Mitigation licence will be required. A copy of the licence should be issued to the LPA prior to works commencing. This should be secured by way of a planning condition. Recommendations made within section 6.3 of the bat and bird survey report should be further detailed within a protected species mitigation scheme, which should also be secured by way of a planning condition. This would include precautionary measures to be adopted during demolition works, the proposed locations and type of bat and bird boxes to be installed integrally within the new building and the adoption of a sympathetic lighting scheme to avoid the illumination of habitats of value, such as woodland, unintensively managed grassland, etc. within close proximity of the proposals site.

The Council's Ecologist has been consulted and has no objection to the proposal and subject to the above conditions being applied to any approval, the proposal would be acceptable in terms of the impact upon Ecology in accordance with Local Plan Policy BIO1.

Trees

Trees run around the site to the north and east which also screen the site, as well as a hedgerow which forms the west boundary with the adjoining field and despite the number and proximity of the trees to the site. A tree survey has now been submitted with this application. The survey concluded that all of the trees on the site were located further than twelve times the estimated stem diameter away from the red line boundary. As such, it was not deemed necessary to survey these trees as they would not be affected by the proposed development. The Hawthorn hedge along the western boundary was surveyed as being a 'C' category hedge. The hedge would also be unaffected by the proposed development. The proposals are now felt to be acceptable with regards to trees and accords with Local Plan Policy BIO1 and the accompanying Trees and Hedgerows SPD.

Recommendation

Approve with conditions