
2022/0335

Mr and Mrs R Taylor

Demolition of existing building and replacement with dwelling and associated works

Low Mill Farmhouse, Fall Head Lane, Silkstone, Barnsley, S75 4LB

Site Location & Description

The site is located approximately 1km to the north Silkstone Village centre and accessed from Fall Head Lane, also known as Silkstone Waggon Way, and is located within rural Barnsley. Fall Head Lane is an unadopted metalled track, in part tarmac surfaced and often of single vehicle width. It is a Public Bridleway and connects Silkstone Lane in the South with the A635 Cawthorne Road to the North. Fall Head Lane is approximately 2.5km in length and serves numerous properties as well as a Sewage Works.

The site is relatively flat, rising to the east, within the wider area lies Low Mill Farm, a former piggery, a Scheduled Ancient Monument (SAM), referred to as Low Mill Furnace, and a large modern, two storey, steel portal framed, solid block constructed building. A series of fishponds are located to the rear of the modern barn. To the south-west of the site, approximately 16m from the building is a Scheduled Ancient Monument known as Low Mill Furnace, to the south and south-east lies the properties of Low Mill Farm and Low Mill Cottage. Elsewhere the surroundings are typical of the rural landscape.



Site History

2017/1587 - Change of use from agricultural building to dwellinghouse (C3) (Prior Notification - Change of Use) – refused January 2018 due to insufficient information regarding the agricultural use. The application was subsequently appealed and dismissed, however the inspector determined

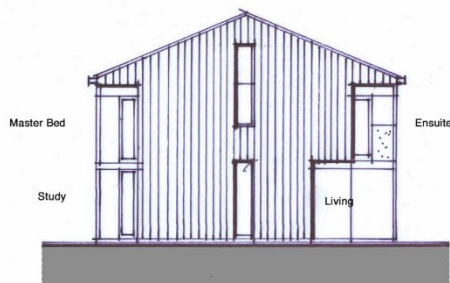
“Schedule 2, Part 3, Paragraph X of the GPDO sets out the interpretation of certain terms used within Part 3 of the Order, which includes Class Q. “Agricultural building” is defined as meaning a building (excluding a dwellinghouse) used for agriculture and which is so used for the purposes of a trade or business, with “agricultural use” stated as referring to such uses. As such, the reference in Q.1(a) requiring the site to have been used solely for an agricultural use would require some substantive evidence of the use being in connection with a trade or business.

I have no substantive evidence from the appellants to suggest that the activities on site were for the purposes of a trade or business.

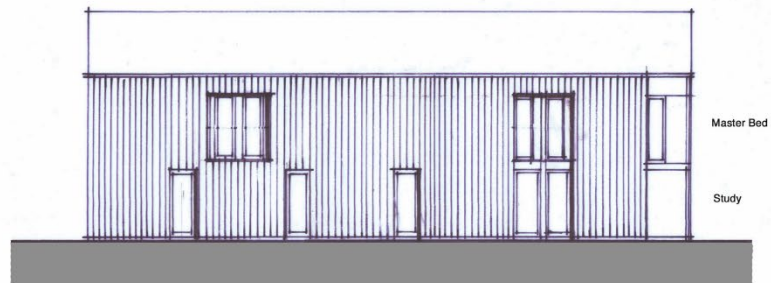
I am not satisfied that sufficient evidence has been submitted to demonstrate that, on the balance of probabilities, the appeal premises was used solely for agricultural use on 20 March 2013 or was part of an established agricultural unit on the relevant date. Therefore, the proposal before me is not permitted development under Schedule 2, Part 3, Class Q of the GPDO. Consequently, I conclude the proposal is development for which planning permission is required”

Proposed Development

The applicant seeks permission for the demolition of the modern barn building and the erection of a two-storey detached residential property. The dwelling is to provide 4/5-bedroom accommodation laid out in a traditional manner, with living accommodation at ground floor and sleeping accommodation at first floor. It is also proposed to include a basement swimming pool and gym area.



North facing Elevation - Proposed



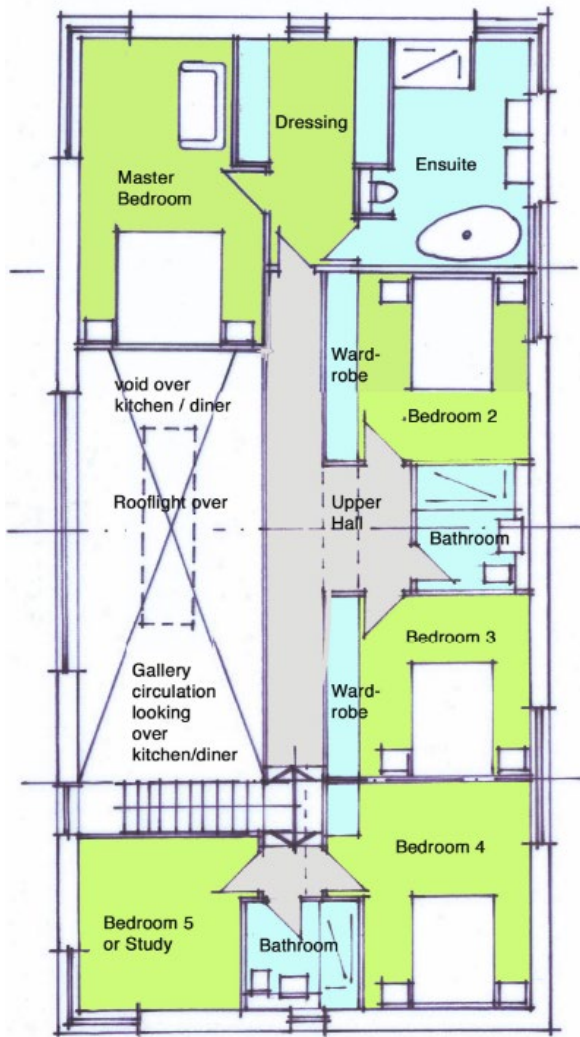
East facing Elevation - Proposed



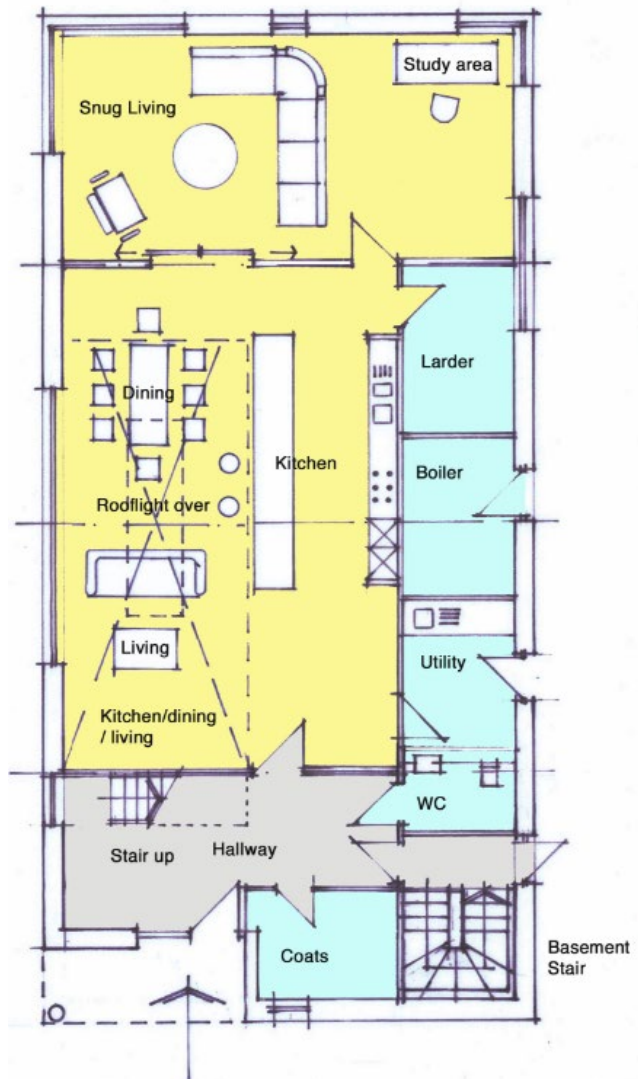
West facing Elevation - Proposed



South facing Elevation - Proposed



First Floor Plan as Proposed _ 1 : 100



Ground Floor Plan as Proposed _ 1 : 100



Architect Studio Gedye Ltd
Scale 1:200 @A3

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise, and the National Planning Policy Framework 2021 (NPPF) does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted by the Council in January 2019 along with a series of Supplementary Planning Documents.

The property is located within the rural Barnsley and is designated as Green Belt in the adopted Local Plan and therefore the relevant policies are relevant

Local Plan

Policy GB1 Protection of Green Belt

Policy D1 High Quality Design and Place Making

Policy GD1 General Development

Policy HE1 The Historic Environment

Policy HE2 Heritage Statements and general application procedures

Policy HE3 Developments affecting Historic Buildings

H1 'The Number of New Homes to be Built' sets the target of new homes for the plan period 2014 to 2033 at 21,546

H2 'Distribution of New Homes'

H4 Residential Development on Small Non-Allocated Sites, proposals will be allowed where they comply with other policies in the Plan.

Policy T3 New Development and Sustainable Travel

Policy T4 New Development and Transport Safety

Policy SD1 Presumption in favour of Sustainable Development

Policy BIO1 'Biodiversity and Geodiversity' requires development to conserve and enhance biodiversity and geodiversity.

CC1 'Climate Change'

CC2 'Sustainable Design and Construction'

CC3 'Flood Risk'

CC4 'Sustainable Urban Drainage'

CL1 'Contaminated and Unstable Land'

Poll1 'Pollution Control and Protection'

SPDs

Supplementary Planning Document – Design New Housing Development

Supplementary Planning Document – Residential Amenity and Siting of Buildings

Supplementary Planning Document – Parking

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, granting permission 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.

Chapter 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 the local planning authority should regard the construction of new buildings within as inappropriate development within the Green Belt. Exceptions to this, which amongst others include:

- g) limited infilling or the partial or complete re-development of previously developed land, whether redundant or in continuing use (excludes 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.

Previously developed is defined within the NPPF as '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.'

Chapter 16 Conserving and enhancing the historic environment

Paragraph 189 states that heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.

Paragraph 195 states that Local Planning Authorities should identify and assess the particular significance of any heritage assets that may be affected by a proposal (including development affecting the setting of a heritage asset) taking account of the available evidence and necessary expertise.

Paragraph 197 states that in determining applications, local planning authorities should take account of; the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.

Consultations

Biodiversity – No objections subject to conditions.

Conservation Officer – No objections.

Forestry Officer – No objections subject to conditions.

Highways DC – No objections.

Historic England – No comments to make on application

Drainage – No objections; happy for details to be checked by building control.

Pollution Control – No objections

Cawthorne Parish Council – concerns raised relating to emptying of the swimming pool.

Silkstone Parish Council – consider the application to be inconsistent with national green belt policy and the Local Plan

South Yorkshire Archaeology Service – no objection subject to conditions

Yorkshire Water – no comments to make

Ward Councillors – No comments received.

Representations

Neighbour notification letters were sent to surrounding properties and a site notice posted adjacent to the site; no comments have been received.

Assessment

Principle of development

The site is located within the Green Belt where Local Plan Policy GB1 protects against inappropriate development in line with National Planning Policy. Whilst the erection of new buildings within the Green Belt are considered inappropriate development, it allows the partial or complete redevelopment of previously developed land, where the building would not have a greater impact on the openness of the Green Belt than the existing development.

Previously developed is defined within the NPPF as '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.'

It is considered, given the decision of the inspector, as outlined above, that the building is not agricultural nor part of an established agricultural unit and therefore can be defined as previously developed land. Other than Local Plan Policy GB1, which states the Green Belt will be protected from inappropriate development in accordance with national planning policy, there are no other relevant development plan policies, therefore, the development must accord with the NPPF. Paragraph 149 (g) which states that development should not have a greater impact on the openness of the Green Belt than the existing building. The proposal, whilst a new building is to be located on the same footprint, within the same location and have the same dimensions as those of the existing building. In addition, it is to have an appearance of an agricultural building with its curtilage being limited to that which is suitable for a dwelling of this size. It is therefore considered

that the proposed development is acceptable in principle and in compliance with NPPF paragraph 149(g).

Visual Amenity, Impact on Heritage Assets and Impact on the Green Belt

As mentioned previously the site is located approximately 16m from the Scheduled Ancient Monument (SAM) Low Mill Furnace and has been subject to a previous prior notification application. Following the appeal decision, a pre-application enquiry was submitted and a site visit with Historic England, BMBC and the applicant's representatives was undertaken. The site visit primarily discussed the development of the furnace, however development of the existing barn was briefly discussed. The councils Conservation Officer advised that the conversion of the existing barn or a new build could protect the Scheduled Ancient Monument, and in principle the development of the barn was supported. However, it was clear that the design would be very important, and that the building should be (or remain) relatively contemporary and maintain a neutral agricultural aesthetic. This would be much preferable to a contrived 'heritage driven' design that results in a pastiche and which could intrude and confuse the setting and its contribution, and that any design should defer to the overall aesthetic of the heritage assets and that a design that draws undue attention to itself will not be supported if this harms the setting.

The resulting application proposes the demolition of the existing barn and the erection of a new dwelling, within the same location, dimensions, and footprint. It is of an agricultural design and has the appearance of a barn similar to those within the area and would not appear out of character. The dwelling is to be constructed from vertical boarded, unfinished timber in either larch or cedar with mid grey zinc roof and grey powder coated aluminium windows.

The openings are restrained, and predominantly vertical in orientation which are reminiscent of enlarge ventilation slits. The south eastern corner which is closest to the SAM is relatively unadorned and clad in timber; the main entrance to the dwelling is located on the opposing corner and is inset with an open stone clad arrangement. The main feature openings are located on the western elevation, facing away from the monument, these are agricultural in character reminiscent of cart openings and consequently avoid an overly domestic appearance.

The Conservation Officer has been consulted on the application and has raised no objection to the proposal stating that the building is a modern interpretation of the traditional barn form but with details that do not intrude and, are on the whole recessive and unobtrusive.

In addition to consultation with the LPA Conservation Officer, South Yorkshire Archaeology Service (SYAS) and Historic England were consulted; Historic England had no comments to make on the scheme, however SYAS stated that the heritage statement contains detailed information about the location, extent and character of the known and potential heritage assets along with an assessment of the significance of those heritage assets and consideration of how the heritage assets would be affected by the proposed development. Minor design changes have been incorporated into the scheme to minimise the impact on any buried remains such as service runs being accommodated within the access trackway where possible and the new build will follow the footprint of the current barn which were welcomed. Nevertheless, given the complex history of the site, groundworks associated with the scheme may harm or destroy features of archaeological interest. As such, a scheme of archaeological work is required as mitigation and SYAS recommend that this be secured by condition and on this basis raise no objection to the proposal.

The replacement building is not considered to have a detrimental impact on the openness of the green belt given that it is no larger than the building it replaces and is located in the same position within the site. The replacement building could introduce domestic paraphernalia to the west of the building, however the domestic curtilage has been limited to that which is absolutely necessary.

The plans indicate that the existing trees are to be retained which would provide screening of the domestic property and any domestic paraphernalia located in the garden from the wider views from the south.

In addition, the building is located such that it would not be highly visible from the highway to the north, with the trees within the embankment providing screening

The access appears to be in reasonable condition, albeit grassed over, any treatment to this could have an impact on the openness of the green belt, however a landscaping condition requiring hard and soft landscaping details will be included and it will be expected that any treatment to the access will be covered by this condition.

The development would see the removal of a poor-quality commercial/agricultural style building and it is therefore considered that on balance the re-development of the site would enhance its immediate setting and as such would not have a detrimental impact on the Scheduled Ancient Monument or openness of the Green Belt and is considered in compliance Local Plan Policies GB1, HE3 and D1.

Residential Amenity

The dwelling is located in an isolated position and not directly surrounded by neighbouring properties; therefore, the proposed dwelling would not increase levels of overlooking or overshadowing or reduce levels of outlook. In addition, the internal layout has been designed to ensure adequate levels of internal space have been provided for future occupant with the rooms meeting or exceeding the requirements of the South Yorkshire Residential Design Guide; an appropriate amount of external amenity space has also been provided.

Based on the above, it is therefore considered that the proposed development is acceptable in terms of its impact on surrounding residents and in compliance with Local Plan Policy GD1.

Highway safety

Fall Head Lane is an unadopted metalled track, in part tarmac surfaced and often of single vehicle width. It is a Public Bridleway and connects Silkstone Lane in the South with the A635 Cawthorne Road to the North. Fall Head Lane is approximately 2.5km in length and serves numerous properties as well as a Sewage Works.

Highways DC have been consulted on the application and whilst the width and surfacing of Fall Head Lane render it unsuitable for additional vehicular traffic, they are mindful that the number of movements generated by a single dwelling would barely be discernible from the traffic already using the road and the recommendation of a refusal on this basis would therefore not be warranted.

The proposed site layout indicates that adequate access, parking and turning arrangements are to be provided, as such the proposals are considered acceptable from a Highways Development Control perspective.

Ecology

A bat survey has been carried out, which covers the site and the adjacent Scheduled Ancient Monument Low Mill Furnace.

The report states that the building subject to this application had negligible potential to support roosting bats. However, the separate application for the furnace will require a full suite of bat surveys, including surveys of the ash tree, as per the ecology report.

The Biodiversity Officer has been consulted on the application and has raised no objections to the findings of the ecology report subject to the inclusion of conditions to prevent impacts from lighting and mitigation for birds and bats in line with the recommendations in the ecology report.

The proposal site is located within a SSSI Impact Risk Zone; however, the development type is not one which meets the threshold as having a likely risk upon the SSSI within this zone, as such the LPA would not be required to consult Natural England in this instance.

Other Issues

SPD Sustainable Travel requires that new developments provide electric vehicle charging points (EVCP) within the scheme and as a minimum, residential schemes should provide 1 charging point per unit. No details have been provided in relation to EVCPs however a condition can be included requiring the information to be submitted prior to the occupation of the dwelling.

Conclusion

Based on the assessment above it is considered that the proposed re-development would see the removal of a poor-quality commercial/agricultural style building, which on balance would enhance its immediate setting and would not have a detrimental impact on the Scheduled Ancient Monument or upon the openness of the Green Belt. In addition, it would not have an adverse impact on the amenity of neighbouring residents, upon the character of the street scene, or upon highway safety and as such is in compliance with Local Plan Policies GB1, GD1, D1, HE3 and T4 and is therefore acceptable.

Recommendation

Approve with conditions