

<b>Application reference number</b>	2024/0647
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<b>Application Type</b>	Full
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<b>Proposal Description:</b>	Change of use of redundant agricultural building to single storey residential dwelling, including increase in ridge height on part of the building and the installation of a level ramp access.
<b>Location:</b>	Lower Falthwaite Farm, Falthwaite Green Lane, Hood Green, Barnsley, S75 3HL

<b>Applicant</b>	Mr J Cowgill
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<b>Number of Third Party Reps</b>	None	<b>Parish:</b>	Stainborough
		<b>Ward:</b>	Penistone East

### Site Description

Lower Falthwaite Farm, is located within Hood Green, within the western rural part of Barnsley, and within the green belt. The farm is accessed from House Carr Lane, a track serving the farm off. House Carr Lane links Hood Green to Silkstone.

The farm consists of a stone-built farmhouse, a stone built single storey barn and 2no steel portal framed structures clad in Yorkshire boarding, with a central farm/service yard.

### Relevant Site History

<i>Application Reference</i>	<i>Application description</i>	<i>Status</i>
2024/0319	Erection of a five bay agricultural single storey building (Prior Notification)	Approved

### Proposal

The applicant seeks permission for development of 1no dwelling comprising of the conversion of the existing stone built single storey agricultural barn; part of the building is to be associated with the existing farmhouse, providing a store, utility and a garage, with the remaining to form the new dwelling.

The dwelling is to comprise of single level living with an open plan kitchen/dining area, with separate living space and 3no bedrooms and a garage. It is proposed to increase the height of a section of the building to facilitate a consistent internal floor level; at the highest point the increase in height will be approximately 1.6m. it is also proposed to install a ramped access to the front elevation to provide level access to the property from the farm yard.

It is proposed to utilise part of the existing yard as a parking and turning area, with an area beyond the western rear elevation to be used as amenity space.

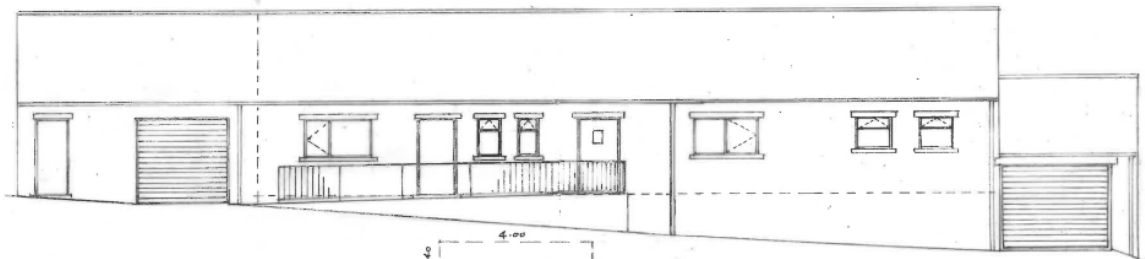


Figure 1 Proposed Front Elevation

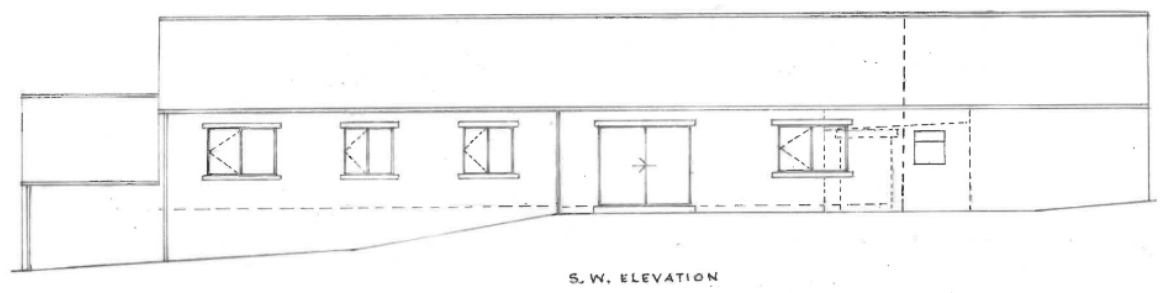


Figure 2 Proposed Rear Elevation

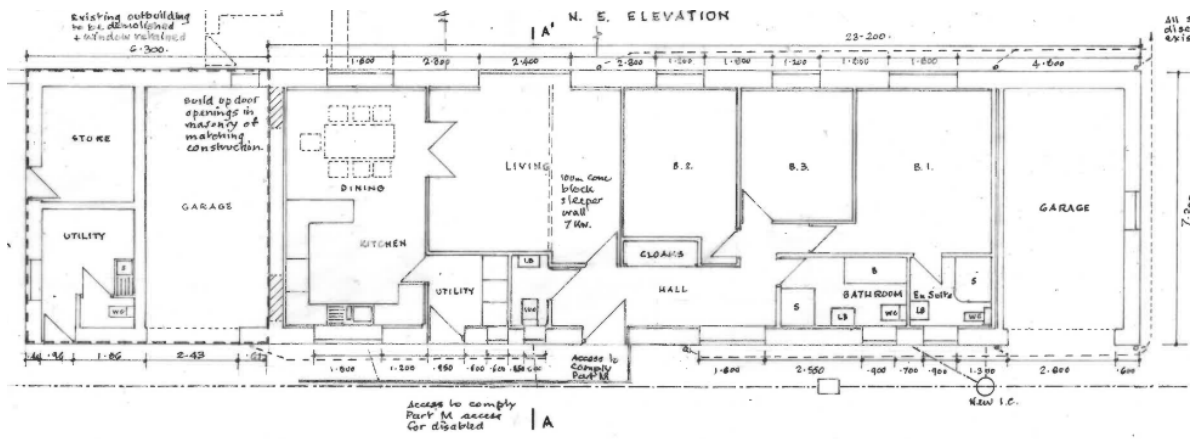


Figure 3 Proposed Floor Plan

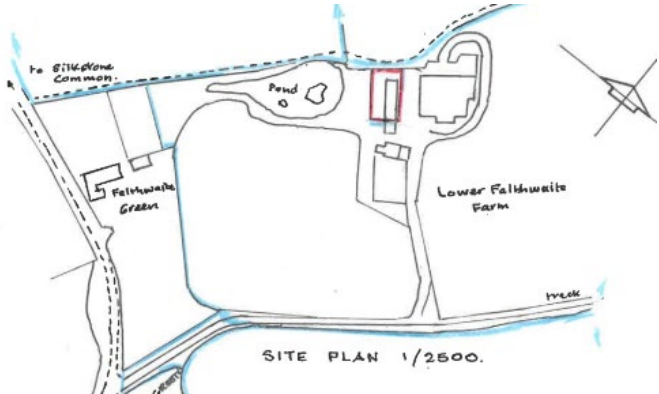


Figure 4 Location Plan

## Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan review was approved at the full Council meeting held 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

The site is identified as Green Belt within the Local Plan and as such the following policies are considered to be relevant to this application:

Policy GB1 Protection of Green Belt  
Policy GB3 Changes of Use in the Green Belt  
Policy GD1 General Development  
Policy T3 New Development and Sustainable Travel  
Policy T4 New Development and Transport Safety  
Policy Poll1 Pollution Control and Protection  
Policy D1 High Quality Design and Place Making  
Policy H1 The Number of New Homes to be Built  
Policy H2 Distribution of New Homes  
Policy H4 Residential Development on Small Non-Allocated Sites  
Policy SD1 Presumption in favour of Sustainable Development  
Policy BIO1 Biodiversity and Geodiversity  
Policy CC1 Climate Change  
Policy CC2 Sustainable Design and Construction  
Policy CC3 Flood Risk  
Policy CC4 Sustainable Urban Drainage  
Policy CL1 Contaminated and Unstable Land

### National Planning Policy Framework (NPPF) (202) and the National Planning Practice Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

## Chapter 13 Protecting Green Belt land

Paragraph 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness (other than in the case of development on previously developed land or grey belt land, where development is not inappropriate). Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. '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 154 states that development in the Green Belt is inappropriate unless one of the following exemptions (amongst others) applies

- h) other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it; these are (amongst others)
- iv) the re-use of buildings provided that the buildings are of permanent and substantial construction

Paragraph 155 goes on to say that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate development where:

- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan
- b) There is a demonstrable unmet need for the type of development proposed
- c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the framework.

### **Relevant Consultations**

Biodiversity – No objections subject to conditions

Conservation - No objections

Contaminated Land – No objections received.

Drainage – No objections; building control to check details on site.

Highways DC – Concerns have been raised in relation to the plans not showing an altered access and that the refuse collection point is located within the highway.

Mining Remediation Authority – No objections – exempt development.

Pollution Control – No objections received.

Public Rights of Way – No objections subject to inclusion of informative.

South Yorkshire Mining Advisory Service – No objections.

Yorkshire Water – No objections received.

Ward Councillors – No objections received.

### **Representations**

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Neighbour notification letters were sent to nearby residents; the application was advertised by way of a site notice posted adjacent to the site and advertised on the Council's website; no representations have been received.

### **Assessment**

The main issues for consideration are as follows:

- The principle of development
- The impact on the openness of the Green Belt
- The impact on the character of the area
- The impact on the highway network and highways standards
- The impact on neighbouring residential properties
- The impact on the ecology of the site

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale unless the NPPF establishes a specific weight:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

#### 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 re-use of buildings, where the building is of permanent and substantial construction, as an exception and subject to compliance with Local Plan Policies.

Local Plan Policy GB3 Changes of use in the Green Belt allows 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 of a permanent and substantial construction, the new use is in keeping with the local character and the loss of any building from agricultural use will not give rise to the need for replacement agricultural building. All development will be expected to be of a high standard of design which respects the character of the existing building and its surroundings, will have no adverse effect on the amenity of local residents, the visual amenity of the area or upon highway safety and preserves the openness of the Green Belt.

Whilst the buildings form part of the Falthwaite Farm complex and were last utilised for agricultural purposes, it is clear that the barn has not been used as such for some time. Therefore, there should be no requirement for additional agricultural buildings within the site.

The building has been subject to a structural survey which outlines that it is of permanent and substantial construction, and with normal level maintenance and enhancement is suitable for conversion. The building is to be converted to 1no residential property and associated garaging. It is acknowledged that the development requires the increase in ridge height to enable a consistent internal floor level, however the increase in ridge height is kept to a minimum and limited to the main living accommodation. Whilst there are external alterations, they are kept to a minimum and the agricultural character of the building is retained. It is therefore considered that the proposed development is acceptable in principle and in compliance with Local Plan Policy GB3.

#### Visual amenity and impact on the Green Belt

The farm complex currently consists of the main two storey stone built farmhouse, the single storey stone built barn (subject to this application) and 2no steel portal framed agricultural buildings and is located approximately 200m from the highway and screened by existing vegetation and Falthwaite Cottage, a residential property 150m to the south-west.

The building subject to this application is a low level stone built structure. The farm complex does not form a dominant feature and sits within the topography of the wider area.

It is acknowledged that the development includes the increase in ridge height and alterations to the external openings, however, these are kept to a minimum and the increase in ridge height does not extend to the full length of the building, and whilst it would be ideal that no increase in height would take place, it is required to provide a consistent internal floor level. Nevertheless, the overall agricultural appearance of the building is retained; this carries significant weight in favour of the application.

Due to the position of the barn in relation to the other buildings within the farm complex, these buildings provide a back-drop to the stone barn when viewed from the north and west, with the same buildings providing screening from the east and south. As such it is not considered that the proposed development would have a detrimental impact on the openness of the Green Belt; this carries significant weight in favour of the application.

The conversion of the building could introduce domestic paraphernalia to the west of the building, however the domestic curtilage has been limited to that which is absolutely necessary. Whilst the extent of the domestic curtilage has been outlined, no details in relation to the proposed boundary treatment have been provided, therefore it is prudent to include a condition requiring the details to be submitted.

The development would see the re-use of an existing stone built building, which could fall into disrepair in the not too distant future, which would not have a detrimental impact on the openness of the Green Belt, and would not form a dominant feature within the wider area; this carries significant weight in favour of the application and therefore it is considered that on balance the change of use from agricultural to residential would not cause substantial harm to the openness of the Green Belt, and is considered in compliance Local Plan Policies GB1 and D1.

### Highway Safety

The site is accessed from House Carr Road via an access track serving the farm complex. House Carr Road is a rural road with limited width and has no footway provision or street lighting within the vicinity of the site. The village of Hood Green is located approximately 700m to the south-east.

The proposed conversion from a former agricultural building to a single storey dwelling is considered to result in a negligible change in terms of vehicle movements to and from the site. The proposals includes adequate room for the parking and manoeuvring of vehicles without impeding the existing agricultural use of the wider farm complex.

Several plans including a swept path analysis, along with a plan siting a refuse collection pad adjacent to the adopted highway have been submitted to support the application.

Highways DC have been consulted on the application, and have raised concerns in relation to the development in that the plans do not show an altered access to allow it to serve more than one dwelling and that the refuse collection pad is shown on, rather than adjacent to the public highway.

It is acknowledged that the access from House Carr Road to the farm complex is a narrow road, but the junction is sufficiently wide to allow 2no vehicles to pass without impeding the adopted highway. The road already serves the existing farmhouse and the farm buildings and is a private road serving only 1no additional property.

The refuse collection pad is shown to be in a grass verge adjacent to the highway and is already in use in a similar location for the existing dwelling. Whilst the concerns raised by highways are acknowledged; they give limited weight against the application.

On balance it is considered that the proposed development is acceptable and in compliance with Local Plan Policy T4.

### Residential Amenity

The site is located in an isolated position on the edge of the village of Hood Green, with the only residential property in close proximity being the existing dwelling associated with the farm.

Permission is sought to convert an existing stone built barn and undertake a minor increase in ridge height. The barn is located to the north of the existing dwelling and the increase in height would not lead to a loss of outlook, or increase levels of overshadowing of the existing residential property. The new opening proposed are located on the north-eastern and south-western elevations and do not directly face the habitable room windows of the existing dwelling.

The property is well proportioned, with the overall floor area of the dwelling exceeding the technical guidelines set out in the South Yorkshire Residential Design Guide (SYRDG), with the rooms within the proposed dwelling meeting the requirements of the SYRDG; in addition, the private amenity space provided meets the requirements for the size of dwellings proposed, as such this carries significant weight in favour of the proposal.

It is in this regard that the proposed development complies with SPD Designing New Housing Development, Local Plan Policy H4 Residential Development on Small Non-allocated Sites and Local Plan Policy GD1 General Development.

### Biodiversity

National requirements have seen the introduction of Biodiversity Net Gain (BNG). In England; BNG is mandatory under the Town and Country Planning Act 1990, whereby developers must deliver a biodiversity net gain of 10%, resulting in more or better-quality habitat than before a development. These regulations were introduced on 12th February 2024 and applied to any application submitted after this date.

Whilst this application was submitted after this date, there are exemptions which can be applied; one of which is an exemption where the development impacts less than 25m<sup>2</sup> of habitat. Given that the application seeks permission to convert an existing building, with no extensions the development would fall within the de-minimis exemption and therefore the National BNG requirements would not apply in this instance.

The application has been supported by an ecology survey. The Council's ecologist has been consulted on the application and overall raises no objection to the proposal and the mitigation measures proposed which include the retention of external gaps within the stonework, the installation of 2no bat boxes and precautionary working methods in relation to nesting birds; these can be secured by condition and as such carries moderate weight in favour of the application.

The Council's ecologist did note that the bat report did not include infra-red shots taken during the emergence surveys and that the report should be amended to include this. However, this carries little weight against the application and was not considered a substantial issue to delay the determination of the application.

### Mining Legacy

The application site falls within the defined Development High Risk Area and as such a Coal Mining Risk Assessment has been submitted to support the application.

The report identifies the mining/shallow coal position and acknowledges that given the nature of the proposed development any further site investigations would be unnecessary in this instance. It does recommend however that fugitive mine/ground gas issues should be assessed/mitigated.

The Mining Remediation Authority and South Yorkshire Mining Advisory Service (SYMAS) have been consulted on the application. The Mining Remediation Authority state that whilst the site falls within the defined Development High Risk Area, the nature of development is exempt due to no or limited groundworks proposed.

SYMAS have concurred with the information within the Coal Mining Risk Assessment and raise no objection to the development and should the proposal be granted the fugitive mine/ground gas issues can be addressed at the Building Control Stage.

This carries limited weight favour of the application

### PROW

Public footpaths (Stainborough FP 2 and FP 4) run adjacent to the site. Public Rights of Way have been consulted on the application and they have stated that the footpaths should remain safely open and available for the public to use at all times, and it is considered that an informative is included within the decision notice notifying the developer that the public right of way should remain available where possible and free of obstruction. This carries little weight in favour of the application.

## **PLANNING BALANCE & CONCLUSION**

In accordance with Paragraph 11 of the NPPF (2024) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be appropriate development in the green belt and would not impact on the openness of the Green Belt. It would not impact on the character of the area, highway safety, or upon residential amenity, and this weighs considerably in favour of the application.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal and holistically this weighs moderately in favour of the application.

The proposal is therefore, on balance, recommended for approval.

## **RECOMMENDATION: Approve subject to conditions**

### **Justification**

## **STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015**

It has not been necessary to make contact with the applicant to request amendments to the proposal during the consideration of the application, as it was deemed acceptable.

**Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. it is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.**