
2020/0302 – Delegated Report

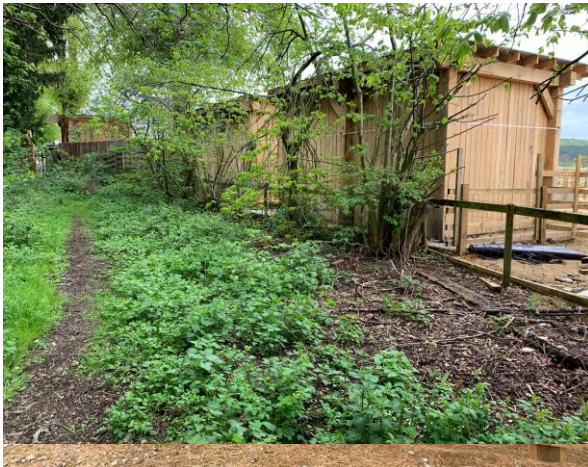
Applicant – Mr R Nicholson

Address – Cannon Hall Open Farm, Bark House Lane, Cawthorne, Barnsley, S75 4AT

Description – Erection of 5 no Shire Horse Stables

Site Description

The application relates to an area to the south of the barn range of Cannon Hall Farm and north/east of the landscaped parkland area of Cannon Hall itself. The area slopes downhill to the east which is characterised by open pasture land. Trees within the parkland are situated to the south and west. The stables are already in situ and have been paddocked to provide separation between them.

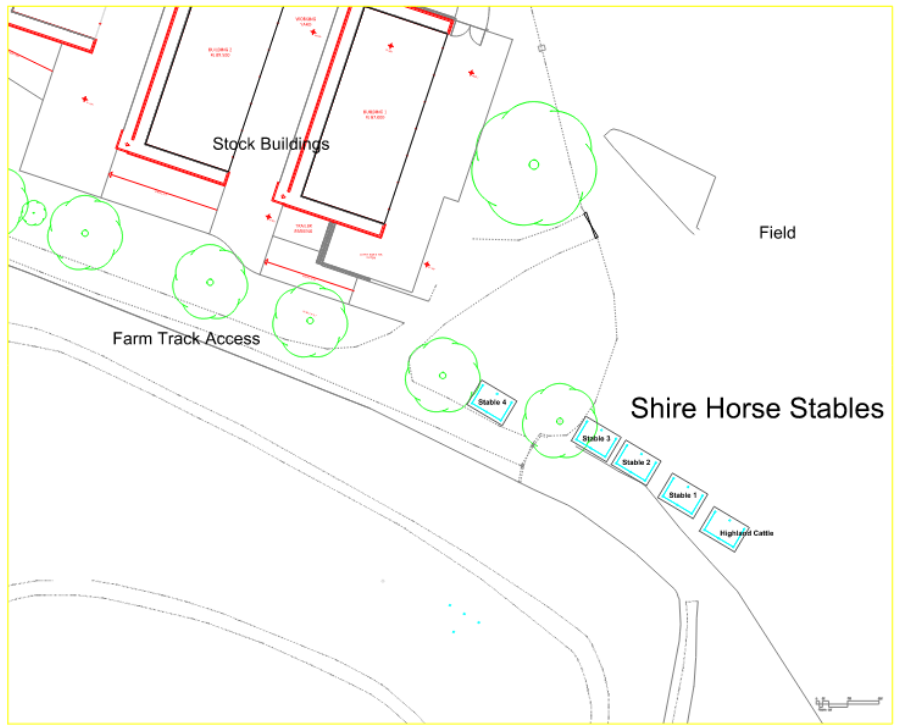


Proposed Development

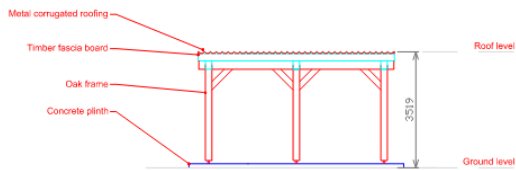
The applicant seeks retrospective permission for the erection of 5no. shire horse stables. The stables are oriented facing north east and positioned in a line that stretches from north west to south east. Each stable is broadly the same in scale and appearance having two internal bays with a total width of 6m at a depth of 4.76m when measured by the roof. The height of the stables is 3.5m with a mono-pitch roof finished corrugated metal. Each stable is constructed of an oak structural frame clad in timber upon a concrete plinth. Four of the stables have been constructed with some initial groundworks having taken place on the fifth. The structures are intended for stabling shire horses.



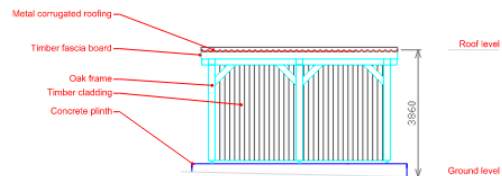
Site Plan



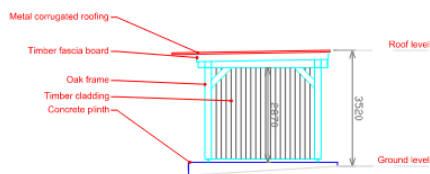
Elevations



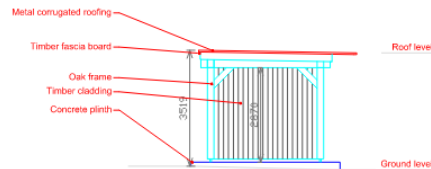
Proposed Front Elevation - Stable 4 + Cattle
scale 1:100



Proposed Rear Elevation - Stable 4 + Cattle
scale 1:100



Proposed Side Elevation - Stable 4 + Cattle
scale 1:100



Proposed Side Elevation - Stable 4 + Cattle
scale 1:100

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 is the borough's statutory development plan which is supported by a series of adopted Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

Local Plan

The new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan policies map designations include:-

- Green Belt
- Registered Park and Garden

Other relevant Local Plan policies are as follows:-

GD1 – General Development

D1 – High Quality Design and Place Making

GB2 – Replacement, Extension and Alterations of Existing Buildings within the Green Belt

HE1 – The Historic Environment

HE4 – Developments Affecting Historic Areas or Landscapes

NPPF

The National Planning Policy Framework 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.

In respect of this application, the policies above are considered to reflect the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in paragraph 124 (general design considerations) and paragraph 130, which state that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'.

The relevant paragraphs within the NPPF will be observed with respect of this application, those being Chapters 13 (Protecting Green Belt Land) and Chapter 16 (Conserving and enhancing the historic environment).

Consultations

Responses have been received from the following consultees:

Conservation Officer – The development represents creep of the built environment that harms the setting and historic value of the designated parkland of Cannon Hall as well as the listed Ha-Ha and structures within the Pleasure Grounds and Fairyland. The development itself is not significantly harmful, however the cumulative development of the farm site is becoming 'sprawl' and is also considered harmful through the retrospective nature of this development which has not been subject to negotiations which could have reduced its harm.

Culture, Sport and Tourism – the stables have a significant negative visual impact on the landscape setting of a Grade II listed landscape and detract from the setting of Grade II listed structures within it, the size, materials used and location in particular are not in keeping with the style and design of the area.

Forestry Officer – No objections – Removal of the stables would incur more damage to the root system and the tree protection plan should be conditioned to be complied with.

Historic England – Defer to BMBC Conservation Officer.

Representations

The application was publicised in accordance with requirements of the Development Management Procedure Order whereby neighbour notification letters were sent to adjoining and adjacent properties alongside a site notice erected near to the site. No representations have been received.

Assessment

Principle of development – Heritage & Green Belt

The site is located within the Green Belt where the construction of new buildings or structures is regarded as inappropriate. As with previous Green Belt Policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. New facilities associated with agriculture and outdoor recreation are usually exempt from this definition through clause (a) + (b) of NPPF para 149. The former clause relating to agriculture has no restrictions and though the Shire Horses are a traditional agricultural breed with communal heritage value, their function is unlikely to be for an agricultural purpose and is likely to be related to tourism/outdoor recreation purposed for visitors to the farm. There is therefore significant overlap with clause b of para 149 in respect of outdoor recreation. However, the latter clause requires that outdoor recreation facilities preserve the openness of the Green Belt to meet the exemption test. In this case the stables have been placed close to existing trees and therefore from long range views from the north and east they will be seen against the backdrop of the trees which will reduce their prominence. To the west are agricultural buildings and therefore from long distance views the stables, due to their size and use of timber materials, would have little impact on the openness of the Green Belt. From more close proximity views the stables would be more prominent and so the applicant's have also submitted justification of very special circumstances to accompany the proposal.

Prior to an evaluation of the VSP, a review of the heritage impact is necessary. The findings of the conservation officer is that the cumulative sprawl and proximity of the development upon designated heritage assets is a concern. However it is important to note that the Conservation Officer highlights in their correspondence of 15th October 2020 that the heritage impact of the stables themselves 'are not substantially harmful'. Relatedly the national policy context provided in NPPF paragraph 202 states that less than substantial harm to the significance of a designated heritage asset should be weighted against the public benefits of the proposal. Indeed the applicant's justification statement provides evidence of the stables' use for breeding Shire Horses. The Shire Horse breed is now rare in the UK and at risk of extinction. The development enables the conservation of the species to improve its precarity at the same time as providing communal and evidential value for the education of children. They also have the potential to increase footfall at the farm thereby bringing Gross Value Added into the Borough. In this context, there are clear

public benefits that broadly balance the less than substantial harm to the Registered Parkland and nearby Listed Structures in the Pleasure Ground as well as the Ha-Ha.

Contextually the comments of the Forestry Officer are important in understanding the practical ramifications of refusal of the permission. The Forestry Officer initially objected to the proposal as the development had likely impacted upon the avenue of protected Lime Trees adjacent to the stables. However following submission of the Tree Survey and the recommendations therein, it is the view of the Forestry Officer that removal of the stables would inflict further damage to the trees and, by consequence, upon the appearance of the Registered Parkland itself. The Tree Survey provides guidance that can be conditioned to ensure that the trees are maintained and inspected to enable good management following the development - refusal of the proposal would prevent this from taking place while also potentially incurring more harm, as previously mentioned.

As the public benefit balances with the less than substantial harm of the stables upon the surrounding heritage assets, refusal and removal of the stables could potentially lead to substantial harm to the historic parkland if either of the two mature Lime Trees require removal. Approval of permission can ensure that good arboricultural practise is undertaken in respect of the mature Lime Trees to ensure their health and, by consequence, the overall setting of the Parkland is preserved across its eastern flank even though smaller agriculturally styled stables sit below them.

To return to the implications of the development upon the Green Belt, the additional Very Special Circumstances put forward are in relation to the public benefit of the conservation of the Shire horse breed, the educational potential for children and the potential GVA increase the livestock bring into the Borough. Indeed, to add to the above, the buildings themselves are clearly of an agricultural vernacular and they are intended to house horses of agricultural purpose (not for horse riding/equestrianism), even if they are redundant for modern agricultural practices and are intended for the purposes of tourism. This latter point lowers the magnitude of harmful/inappropriate development within the Green Belt at which VSP can apply as the development is partially covered by the exemption for the purposes of agriculture and forestry within paragraph 149 (a) of the NPPF. Likewise, and to reiterate once more, the removal of the stables would incur further harm to the listed parkland and would prevent mitigating arboricultural work coming forward that could ensure the survival of the mature Lime trees adjacent. The 'other harm' to the heritage of the area is not considered to outweigh the application of VSP in this instance as refusal by reason of inappropriateness could render further harm to the Green Belt and would be counter-productive.

Overall the principle of development is determined as being acceptable by virtue of limited impact on the openness of the Green Belt, in particular from far reaching views, and very special circumstances enabled by NPPF Para 148 and in line with LP Policy GB2. Similarly the harm to heritage assets is less than substantial and outweighed by a combination of public benefit and the threat of further harm being incurred as set out by NPPF Para 202 and LP Policy HE4.

Residential Amenity

No residential properties are in close proximity to the development site and the impact upon residential amenity is consequently determined to be in line with the SPD Residential Amenity and Siting of Buildings as well as LP Policy GD1 – General Development.

Visual Amenity

The stables are set at the edge of a field adjacent to large agricultural barns set further north and the eastern tree line of the Parkland to the west. The style and finishing materials of the stables and their paddock's, when stripping out the heritage and Green Belt factors reviewed above, match the pastoral aesthetic of the area and appear traditional. Indeed the frames of the stables are made from high quality oak and the timber cladding and paddock fencing are also of agricultural appearance and do not look out of place.

To conclude, the proposal is deemed to be an acceptable impact on the visual appearance of the area in accordance with LP Policies D1 – High Quality Design and Placemaking.

Other Considerations

Forestry – The Lime Trees within the Deffer Wood TPO have been subject to a Tree Survey reviewed by the Forestry Officer who has removed their objection against the development. The recommendations within the tree survey shall be conditioned as a part of any approval.

Conclusion

To conclude, development is determined as being acceptable by virtue of limited impact on the openness of the Green Belt and very special circumstances enabled by NPPF Para 148 and in line with LP Policy GB2. Similarly the harm to heritage assets is less than substantial and outweighed by a combination of public benefit and the threat of further harm being incurred by the removal of the stables as set out by NPPF Para 202 and LP Policy HE4. As such, on balance, the proposal is recommended for approval

Recommendation

Grant – Subject to conditions