

High Hoyland Parish Meeting
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Planning Application: 2025/0955

Site Address: Land West of Norfield House, Bank End Lane, High Hoyland

Proposal: Erection of Detached Dwelling (Self/Custom Build)

Case Officer: Laura Bennett

Date of Objection: 22/12/2025

1. Formal resolution of High Hoyland parish meeting

At a duly convened meeting of High Hoyland Parish, the meeting resolved to submit a strong objection to planning application 2025/0955, under its duties as a statutory consultee pursuant to the Town and Country Planning Act 1990 and the Local Government Act 1972.

This response represents the formal position of the Parish meeting.

2. Summary of objection

High Hoyland Parish meeting objects to the above application on the grounds that the proposal:

- Represents inappropriate and harmful development within the Green Belt
- Is not infill, nor compliant with settlement boundaries established in the Local Plan
- Includes misleading or incorrect assertions regarding historical land use, undermining any classification of the land as Grey-belt.
- Presents unacceptable design, massing, scale, and visual impact
- Contains technical inaccuracies, including erroneous photographic evidence
- Creates significant highway safety risks on a 60 mph section of Bank End Lane
- Fails to provide a compliant drainage strategy or consideration of septic proximity to neighbouring septic tanks.
- Sits within an area of shallow coal workings, increasing subsidence risk
- Undermines sustainability objectives
- Fails to meet the requirements of the Barnsley Local Plan and the NPPF (2024).

The Parish therefore requests refusal.

3. Applicant residency and self-build eligibility

The parish meeting has undertaken open-source checks using publicly available information, electoral roll data, and public-access records. These searches indicate that the applicant may not meet residency requirements normally associated with the Self-Build and Custom Housebuilding Act 2015, nor do they demonstrate any local residency that would justify additional planning weight.

3.1 Current and Previous Residency

Previous Residency

Public searches of the UK electoral roll and open registers (*see Appendix 1 for supporting evidence*) confirm:

- The applicant has never been registered on the electoral roll in High Hoyland;
- There is no recorded address history linking the applicant to High Hoyland at any time.

This contradicts any implication that the proposal relates to a locally connected self-build. The last accessible UK electoral record for the applicant dates to 2016, at an address in Cawthorne. Since then we have not been able to identify:

- Any UK electoral registration;
- No evidence of continued UK residency;
- No evidence supporting a local-need self-build claim.

Current Residency

Open-source public records (*see Appendix 1 for supporting evidence*) indicate that the applicant is:

- Residing in Australia, and
- Operating a business from that location.

If correct, this has direct planning implications:

- The applicant may not demonstrate qualifying self-build status as contemplated by the Self-Build and Custom Housebuilding Act 2015;
- There is no evidence of direct intention to occupy the dwelling;
- The claim of self-build benefit cannot be afforded planning weight.

3.2. Eligibility for Self-Build and Custom Build Classification: Additional Eligibility Assessments

In determining whether an application legitimately qualifies as a Self-Build project, local planning authorities are entitled to require applicants to satisfy supplementary eligibility criteria. These may include, but are not limited to, the following tests:

- Local Connection Test
- Financial Solvency Test

In the present case, it is noted that the applicant appears to have been non-resident in the United Kingdom for a significant period, approaching a decade, and operating a business from Australia. When considered alongside the substantial development costs associated with the proposal, these factors provide compelling grounds for the local authority to require both eligibility tests to ensure that the claimed self-build status is credible and compliant.

The statutory basis for such scrutiny is explicit. The Self-Build and Custom Housebuilding Act 2015, together with the associated regulations, empowers local authorities to request information pertaining to an applicant's circumstances, including:

- a) *The circumstances of an individual, including provision about age, nationality, and connections to an area;*
- b) *The type of house intended to be built;*
- c) *An individual's ability to fund the acquisition of the land and the building of the house;*
- d) *An individual's intentions as regards occupation of the house"¹*

Moreover, recent appeal decisions underscore the necessity for authorities to exercise due diligence in assessing the authenticity of self-build claims. In a 2025 Rainham Appeal (APP/B5480/W/25/3359165), the Inspector emphasised:

"The PPG makes it clear that authorities should take steps to satisfy themselves with regard to these matters."

Considering the above, and to ensure that the statutory purpose of the self-build register is upheld, we formally request that the planning authority instruct the applicant to undertake the Local Connection and Financial Solvency tests.

This will provide the requisite assurance that the proposal genuinely satisfies the legal criteria for self-build classification and that the stated intention to occupy the completed dwelling is credible and enforceable.

4. Historical land use: incorrect and misleading claims

4.1 Correction of applicant's claim regarding the land classification as a "Garden"

The applicant's claim that the field was historically used as a formal garden is inaccurate, unsupported by evidence, and inconsistent with the site's long-established agricultural character. The accompanying reference seeks to rely on this claim in order to argue that the land constitutes "curtilage"; however, this interpretation is flawed and would not withstand scrutiny when assessed against the established curtilage tests applied in the planning process.

¹ (2015) *Self-build and custom Housebuilding Act*. UK Public General Acts 2015 c.17.3.2. <https://www.legislation.gov.uk/ukpga/2015/17/schedule/paragraph/3/enacted>

Case law confirms that curtilage is limited to land that is physically, functionally and historically associated with a lawful building, forming one enclosure and serving a clear ancillary purpose (*Sinclair-Lockhart's Trustees v Central Land Board*). The field in question fails these tests.

Importantly, neither the National Planning Policy Framework nor the Barnsley Local Plan supports the assumption that garden land automatically forms curtilage. The NPPF distinguishes clearly between the built-up area of settlements and open countryside, and seeks to protect the intrinsic character and beauty of the countryside (paragraphs 8 and 180). The Barnsley Local Plan similarly adopts a restrictive approach to development beyond settlement boundaries, particularly where land retains an open or agricultural character, and does not permit the reclassification of countryside land through unsubstantiated claims of historic domestic use.

Residential gardens are not afforded the same planning status as curtilage where land is physically separate, historically used for agriculture, or unrelated to the function of the host dwelling. Accordingly, the attempt to retrospectively characterise this field as garden curtilage appears to be an artificial construct intended to circumvent countryside and settlement boundary policies, rather than a reflection of the lawful planning status of the land.

4.2 Correction of Applicant's Claim Regarding a Historic Water Tank

The Planning Statement asserts that the application site historically hosted a water tank serving High Hoyland. This claim is:

- (a) factually incorrect,
- (b) contradicted by all available mapping, and
- (c) legally irrelevant to Green Belt policy in any event.

4.2.1 Historic Mapping Analysis

Extensive review of historic Ordnance Survey data, including:

- 1850s OS County Series
- Revised 1904 (Published 1907) OS County Series
- Revised 1935 Geology Sixth Inch 1900s-1940s
- 1950s / 1960s OS National Grid mapping

Confirms that a water tank did exist by at least 1904 in west High Hoyland and remains on the village maps until the 1960s. However, the mapped tank is shown:

- In the western part of the village, outside of the defined village envelope.
- In the field immediately to the north of the historic property "The Perch" approximately 600ft west of the proposed site for development.

Crucially, no historical map ever shows any water tank or portable water infrastructure on or near the proposed development site (***See Appendix 2 for associated evidence***). Furthermore, long-standing High Hoyland residents confirm that:

- The only historic water tank known in this area of the village was the one above "The Perch".
- No water tank was ever located on the application site.

- The applicant's claim contradicts lived, multi-generational village knowledge.

4.2.2 Misidentification of the Septic Tank for Norfield house

The only tank known on or near the plot is the private septic tank serving Norfield House (*See Appendix 2 for associated evidence/images of the Norfield house septic tank on the site*).

The applicant or their agent appears to have misconstrued the tank discussed in the records. This is a material factual error because the applicant attempts to use the alleged water tank to support:

- Grey belt argument
- Curtilage argument
- Previously developed land argument
- Historic usage argument

All of which fail, given that the tank was never present on the site at all fail to meet any of these classifications.

4.2.3 Case Law: Why a Water Tank (Even if Present) Would Not Affect Green Belt Status

Even if a water tank had existed on the proposed development site, which the evidence proves it did not, planning case law and Court judgments confirm that such minor infrastructure does not remove Green Belt protection, alter its status, or justify development.

We draw the Authority's attention to the recently dismissed planning appeal in Netherton, Wakefield, dated 5 August 2025 (Ref: APP/X4725/W/25/3365129). In that case, the applicant sought approval for a detached bungalow on a site comprising a large stable block, two shipping containers, and a wooden chalet structure. The land in question formed part of the Green Belt.

The Inspector's findings were unequivocal:

"I agree that the proposed dwelling, given its much wider form and greater height than the stables, would be significantly greater in scale than the stables and containers, when taken together, as is illustrated by the council's floor space and volume figures... The proposal taken as a whole, must be considered as inappropriate development as it is not entirely on previously developed land. I also consider that the scale of the works would result in substantial harm to the openness of the Green Belt. The proposal overall, therefore, represents inappropriate development in the Green Belt with regard to the development plan policies and those of the Framework."

Critically, even in that appeal, where the Inspector accepted that *part* of the site constituted "*previously developed land*" within a defined curtilage, the appeal was still dismissed because a material proportion of the site failed to meet the definition, resulting in harm to the openness of the Green Belt and conflicted with the National Planning Policy Framework (NPPF).

In contrast, no credible evidence has been provided in the present application to demonstrate the existence of any lawful, established curtilage, nor any structures or land uses capable of meeting the statutory definition of previously developed land. The applicant's site contains no

qualifying buildings, no functional land use history, and no lawful curtilage that could reasonably be relied upon to support a claim that the land should be treated as “*previously developed*” or, by extension, as grey-belt.

Accordingly:

- The site cannot be classified as previously developed land under Annex 2 of the NPPF;
- The site cannot be afforded grey-belt status, as the preconditions for such categorisation are entirely absent; and
- The proposal must be assessed in strict accordance with Green Belt policy, where the construction of new buildings constitutes *inappropriate development* unless very special circumstances are demonstrated. None have been substantiated here.

Given both the Inspector’s reasoning in the Netherton appeal and the complete absence of evidence to support any deviation from Green Belt designation, it is clear that this proposal conflicts directly with established national and local planning policy. The Authority is therefore invited to apply the same principles of scrutiny and reach the only legally defensible conclusion: the application must be refused.²

Even if the land were considered to meet any purported “grey belt” test, which is firmly disputed, reliance on grey belt classifications referenced within the consulted National Planning Policy Framework (December 2024) is fundamentally misplaced and carries no determinative weight. The concept of “grey belt” has no statutory basis, is not defined within adopted planning policy, and has not been incorporated into the Barnsley Local Plan. As such, it cannot be relied upon to justify development that conflicts with the clear and unambiguous policies of the adopted development plan.

The introduction of non-statutory and evolving national terminology does not provide a mechanism to override, reinterpret, or weaken locally specific and evidence-based policies relating to settlement boundaries, countryside protection, and the restraint of inappropriate development. Any attempt to afford decisive weight to grey belt arguments would therefore represent a misapplication of national guidance and would fail to properly apply the plan-led approach required in the determination of planning applications.

4.3 Vegetation Clearance

Condition of the Site: Material Misrepresentation and Unauthorised Clearance

4.3.1 Historic Condition of the Site: Established Woodland

Historic aerial photography (2008, 2016, 2021, 2023- *see Appendix 3 for associated evidence*) and corresponding street-level imagery confirm that the application site formed part of a long-

² See also, *Dartford BC v SSCLG [2017] EWCA Civ 14* which states that land must be “curtilage” to a substantive building to be considered previously developed.

standing, mature, broadleaf woodland on a continuous hillside. Throughout this period, the land exhibited:

- A dense, multi-layered canopy
- Mature overstorey trees
- Extensive understory growth
- A natural woodland-edge habitat extending down the slope
- No evidence whatsoever of domestic use, cultivation, or maintained garden land

These findings are consistent with the 2014 Arboricultural Survey, which recorded substantially more trees than remain today and categorised the land as woodland, not curtilage.

Accordingly, the undisputed historic baseline is wooded Green Belt, not “*previously developed land.*”

4.3.2 2025 Condition: Major and Abrupt Vegetation Removal

By contrast, aerial and street-level evidence from July 2025 (*see Appendix 3 for associated evidence*) shows:

- Widespread felling of mature trees
- Clearance of hedgerows and entire vegetation layers
- Bare, exposed earth and visible cut stumps
- Ground levelling indicative of mechanical scraping
- Loss of boundary vegetation along Bank End Lane
- Clearance extending downslope toward woodland subject to a Tree Preservation Order (TPO)

This represents a significant and deliberate alteration of the site’s ecological, visual, and landscape character, undertaken shortly before the submission of a planning application.

4.3.3 Arboricultural Report Superseded and Rendered Unreliable

The Arboricultural Report was completed in April 2025. Immediately thereafter:

- The applicant’s agent undertook further tree felling and vegetation stripping
- Vegetation identified in the 2014 report as requiring retention appears to have been removed particularly near the roadside at Bank End lane.
- The submitted tree survey no longer reflects the condition of the site
- These works were not disclosed in the application documentation

A report that does not reconcile with the actual condition of the land cannot be treated as a valid assessment for the purposes of determining constraints. This failure raises questions of procedural fairness and undermines confidence in the applicant’s submissions.

4.3.4 Notification to Planning Enforcement: A Material Consideration

Due to concerns regarding the extent, timing, and purpose of the clearance, the matter was formally reported to Barnsley MBC Planning Enforcement in July 2025.

Enforcement involvement is material because:

- It demonstrates third-party concerns regarding unauthorised or prejudicial works
- The Local Planning Authority (LPA) is now on notice regarding a potential breach
- Clearance works undertaken to alter the planning baseline may constitute development in themselves
- The Council is obliged to consider whether the works have unlawfully influenced the policy context

Once enforcement concerns are raised, the LPA cannot simply rely on the altered condition of the land.

4.3.5 Potential Impact on TPO-Protected Areas

Historic imagery confirms that the lower slope of the site forms part of, or directly adjoins, land subject to a Tree Preservation Order (*see Appendix 3, figures 24&25 for associated evidence*). The 2025 clearance works appear to extend toward this protected area, raising the likelihood of:

- Unauthorised works affecting protected trees
- Disturbance within Root Protection Areas
- Ground compaction or soil removal harmful to TPO specimens

Any such actions undertaken without consent are contrary to the Town and Country Planning (Tree Preservation) (England) Regulations 2012 and warrant investigation and remedy.

The chronology set forth in the attached imagery could suggest that clearance was timed to influence planning judgment, specifically:

- Reducing ecological constraints
- Enhancing perceived development capacity
- Undermining the true historic character of the land

Such conduct has been repeatedly criticised in planning case law, where intentional clearance prior to application is treated as a material and adverse factor.

4.3.6 Relevant Planning Precedent: Clearance Cannot Circumvent Policy

The principle that pre-application vegetation removal forms part of a development operation and cannot be retrospectively separated from it is well established in planning case law.

In Kingsbridge, Devon (APP/K1128/W/23/3327544, 2024), planning permission was rescinded after the applicant removed trees previously stated as being retained. The Inspector held that unauthorised clearance:

- Undermined the credibility of the arboricultural evidence
- Prevented meaningful imposition of tree protection conditions
- Counted materially against the proposal

More recently, in an enforcement appeal from West Lancashire, APP/P2365/C/24/3339918 (25 March 2025), the Inspector addressed directly whether the removal of trees could be treated separately from a development. The decision was unequivocal:

“The breach of planning control as alleged in the notice was clearly carried out as a single operation. The trees and shrubs were cleared... the clearance of the trees and shrubs were clearly carried out as part of the overall development of the site. Therefore the clearance of the trees and shrubs cannot be separated from the rest of the development.”

This finding is critical: where vegetation removal facilitates, enables or anticipates development, it is part of that development and must be treated as such for the purposes of planning control.

The present case mirrors that precedent:

- The 2014 and 2025 Arboricultural Report identified trees for retention
- These features were subsequently removed
- The clearance was undertaken after technical assessment but before submission
- The application now benefits from the absence of those constraints

As a consequence:

- The 2025 Arboricultural Report is no longer representative and cannot be relied upon
- The Local Planning Authority has been denied the ability to impose tree protection conditions
- The site presented in the application is not the site that historically existed

The applicant’s explanation that trees were removed for powerline safety is inconsistent with photographic evidence showing wholesale clearance across the site, including areas nowhere near overhead cables.

The clearance breaches or conflicts with:

- Local Plan LC1 (Landscape Character) – loss of valued wooded hillside
- BIO1 (Biodiversity) – removal of habitat without assessment
- D1 (Design) – erosion of essential landscape context
- CC1 (Climate Change) – loss of carbon-absorbing vegetation
- NPPF paras 131, 152, 174–180 – requiring protection of trees, ecology & landscape character

4.3.7 Conclusion

The evidence before the Authority is unequivocal and establishes the following:

- The site’s long-established woodland character may have been intentionally impacted prior to submission.
- Extensive clearance was carried out after the arboricultural assessment but before the planning application, fundamentally altering baseline conditions.
- The arboricultural survey submitted with the application is no longer reflective of the site and cannot be relied upon as a valid assessment of constraints.
- Planning Enforcement has been formally notified, making the works and their implications a material consideration.

- The sequence of works raises a credible risk of breaches under the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
- The recent appeal decision *APP/P2365/C/24/3339918* confirms that such clearance forms part of the development itself and cannot be artificially separated from it.
- The Local Planning Authority cannot lawfully determine the application on the basis of a condition manufactured by the applicant through the removal of planning constraints.
- Enforcement action, including reinstatement of removed trees, remains open to the Authority and is justified on the evidence available.

To determine this application based on the altered, post-clearance condition of the land would be contrary to the proper exercise of planning powers and would set an unacceptable precedent whereby applicants could profit from the destruction of features that would otherwise restrict development.

In light of the above, established case law, and the evidential record, the Authority is compelled to:

- Treat the historic, wooded condition of the site as the true and lawful baseline;
- Attach significant negative weight to clearance works undertaken in advance of determination;
- Investigate and, where appropriate, pursue enforcement action to address unauthorised works and secure reinstatement.

This is one of the most serious concerns in the application and must be given significant weight against approval.

5. Misleading site photography

The parish meeting has identified a significant inaccuracy in the photographic evidence submitted with the application. The image presented as depicting the application site is not taken on, nor representative of, the land subject to this application.

Instead, the photograph shows the agricultural fields below the Cherry Tree Public House, positioned a substantial distance downhill and south of the application plot. These fields:

- Are not contiguous with the development site, notably the pond is approximately 500ft south of the proposed site (*see Appendix 4 for associated evidence*)
- Sit at a markedly lower elevation
- Possess a different landscape character
- Do not reflect the topography, enclosure, vegetation, or setting of the application land

Use of a photograph taken remotely from the site creates a misleading impression of the plot's openness, slope and landscape context.

This constitutes a material misrepresentation, and the parish meeting requests that the Local Planning Authority disregard the photographic evidence in full when assessing landscape and design impacts.

6. Ground stability, mining legacy and subsidence risk

The submitted Coal Mining Risk Assessment (CMRA) confirms that the development site is subject to significant, foreseeable and policy-relevant hazards arising from historic coal extraction and inherent ground instability. Specifically:

- The site lies within a coal mining high-risk area and is underlain by probable shallow, unrecorded workings at depths of approximately 3-17 m, well within the zone of potential subsidence influence.
- The land comprises a steep, hydrologically active slope, with existing groundwater and runoff issues affecting neighbouring properties.
- The proposal seeks deep cut-and-fill excavation, increasing loading on an already unstable hillside.

The CMRA acknowledges these risks but does not undertake the intrusive borehole investigations or void-probing necessary to determine the site's safety. Until those investigations are completed, it is not possible to demonstrate that the land is stable or capable of supporting development.

6.1 Relevant Planning Policy: National and Local Requirements

NPPF (2024), Paragraphs 159-161 require Local Planning Authorities to:

- Prevent development on land known to be unstable or susceptible to subsidence;
- Ensure development does not increase ground or slope instability;
- Require site-specific investigation where coal-related risks are present.

These duties are reinforced by the Barnsley Local Plan:

- CC1 Climate Change and Flood Risk: Avoid development that increases risk from ground conditions or slope processes.
- SD1 Presumption in Favour of Sustainable Development: Applies only where no significant harm arises.

Given the CMRA's recommended but uncompleted investigations, the proposal fails to satisfy these requirements.

6.2 Planning Inspectorate Appeal Precedents: Development Refused Due to Unresolved Ground Stability Risks

Recent appeal decisions demonstrate that where shallow workings, slope-instability risks, or incomplete mining investigation exist, development must be refused:

APP/X4725/Q/25/3360331 Wakefield (09 May 2025)

This appeal was dismissed because the site lay within a coal development high-risk area where probable unrecorded shallow workings were identified. The Inspector concluded that planning permission could not be granted without an intrusive borehole investigation to establish whether workings were present and assess the implications for ground stability.

Although the current site is not underlain by the same seam, it shares clear and material similarities:

- It lies within a coal mining high-risk zone;
- It is subject to probable shallow workings at construction depth;
- It presents foreseeable subsidence risk on sloping ground.

Critically, the CMRA for 2025/0955 application also confirms that borehole investigation is required before safe development can be demonstrated. These investigations have not been undertaken, creating the identical evidential gap that led to refusal in the Wakefield case. The same planning outcome must therefore apply: approval cannot lawfully be given pending intrusive investigation.

APP/A0665/D/25/3361002 Northwich (24 April 2025)

This appeal was refused because land instability adjacent to a steep cutting posed unacceptable risks, even for a modest single-storey extension. The Inspector held that slope conditions alone justified refusal. The present proposal at 2025/0955 involves significantly greater excavation and a much larger proposed site.

APP/G4240/W/25/3360269 Ashton-under-Lyne (11 June 2025)

This appeal was similarly refused because a comprehensive slope-stability assessment had not been completed. The Inspector stated:

“A decision cannot be made without a full understanding of the risks arising from slope instability.”

This application similarly seeks consent without completing essential ground investigations, despite clear evidence of slope, mining and groundwater risks. The application at 2025/0955 again aligns closely.

6.3 Site-Specific Risks: Predictable and Avoidable

The following hazards are evidenced, not theoretical:

- Shallow coal workings within construction depth;
- Steep gradient concentrating groundwater flows;
- Deep excavation proposed into potentially unstable material;
- Potential for increased hydrostatic pressure and land movement.

If development proceeds before investigation:

1. Shallow workings may be reactivated;
2. Slope equilibrium may be destabilised;
3. Groundwater pathways may be altered downslope;
4. Retaining structures may be overloaded;
5. Neighbouring property damage becomes a foreseeable planning outcome.

6.4 Policy Conclusion and Required Determination

The proposal is contrary to:

- NPPF (2024) paras. 159–161 – prohibits development on unstable land;
- Barnsley Local Plan CC1 – avoid ground and slope hazard;
- Barnsley Local Plan SD1 – sustainability test fails where harm exists;
- Three recent PINS decisions confirming that intrusive investigation is a prerequisite to any approval in mining-legacy areas.

Given the probable shallow workings, fault proximity, steep slope, and outstanding investigation, the Local Planning Authority cannot lawfully approve this application.

Planning permission must not be granted unless and until:

- Intrusive borehole investigations, void-probing and stability modelling are completed, and
- The results conclusively demonstrate safety for development.

Until then, the development remains:

- Unsafe
- Contrary to national and local policy
- Inconsistent with binding appeal precedent

The only defensible outcome at this stage is refusal.

7. Green belt and infill: policy non-compliance

7.1 Not within the settlement boundary: open countryside, not infill

The proposed development site lies outside High Hoyland’s defined settlement boundary in the Barnsley Local Plan. It therefore forms part of the open countryside within the Green Belt, not part of the village itself.

Accordingly:

- The land cannot properly be characterised as “infill”, because it is not within a continuous built frontage or the recognised village envelope;
- Any dwelling here would represent encroachment into the countryside, directly engaging the Green Belt purpose of safeguarding the countryside from encroachment (NPPF para 143(c)).

Recent appeals underline that even single “gap” dwellings outside settlement boundaries have been refused in the Green Belt despite being labelled “infill”, where they extend development into open countryside and harm openness.

7.2 Misuse of the “grey belt” concept

The Planning Statement seeks to rely on the emerging “grey belt” concept to suggest the site is less sensitive. This is misconceived:

1. *Green Belt is still Green Belt:*
The updated NPPF and government commentary make clear that “grey belt” is a subset of Green Belt, not a lesser designation. It does not remove the land from Green Belt protection and does not by itself make development appropriate. Where development fails paragraph 155 criteria, the usual Green Belt restraint still applies and inappropriate development must be justified only by “very special circumstances”.
2. *Grey belt is not a free-standing permission slip:*
Legal and professional commentary stresses that grey belt is merely a gateway: the site must first qualify as grey belt and then meet *all* paragraph 155 and (for major development) the “golden rules” (paras 156-157). If those tests are not met, the development remains inappropriate.
3. *This parcel clearly performs Green Belt purposes*
The proposed development site:
 - Checks the sprawl of High Hoyland;
 - Safeguards countryside from encroachment down the valley side;
 - Helps preserve the setting and special character of a historic hilltop village.

It is neither previously developed land nor a weakly-performing wedge of urban fabric. On any fair assessment, it performs core Green Belt purposes, not “weak” or marginal ones.

For these reasons, the parish meeting considers the “grey belt” argument in the Planning Statement to be wrong in policy terms and of no weight.

7.3 Infill and Inspector precedent for this particular site

A previous appeal relating specifically to this land (*APP/R4408/A/14/222550*) found that:

- The site is not infill;
- It forms part of the open Green Belt rather than the built-up extent of the village;
- Development would amount to extension of the settlement into countryside, not the filling of a small gap.

The current proposal does nothing to alter that spatial relationship: the settlement boundary has not been altered, and the physical gap between built form and open valley remains (notwithstanding recent vegetation clearance).

The parish meeting submits that the earlier Inspector’s finding that the land is not infill remains compelling and directly applicable. Attempts to re-badge the plot as infill or grey belt are simply attempts to re-argue a matter already determined against development.

7.4 Local and national policy conflict – GB1 and NPPF Chapter 13

Barnsley Local Plan Policy GB1 (Protection of Green Belt) states that the Green Belt will be protected from inappropriate development in accordance with national policy.

The NPPF (2024), Chapter 13 confirms that:

- Inappropriate development is, by definition, harmful to the Green Belt;
- Such development should not be approved except in very special circumstances;
- Very special circumstances will not exist unless harm to the Green Belt (by inappropriateness and any other harm) is clearly outweighed by other considerations.

Here:

- The proposal is not limited infilling in a village;
- The site is not previously developed land;
- No very special circumstances have been demonstrated;
- The dwelling, garage and engineered terraces would reduce openness and encroach into countryside.
- Is on land that plainly contributes to purpose (c) (safeguarding countryside from encroachment) and to the setting of a historic hilltop village;
- Does not deliver strategic housing numbers, high proportions of affordable housing or critical infrastructure;
- Fails any meaningful paragraph 155 or golden rules justification.

On Green Belt policy alone (GB1 and NPPF Chapter 13), the proposal is plainly unacceptable.

8. Design, scale, massing and visual impact

8.1 Excessive size, bulk and height

The Planning Statement describes the proposal as a “two-storey” dwelling when viewed from Bank End Lane, with a lower-ground “entertainment suite” to the rear, resulting in three fully expressed storeys facing the valley.

In reality, the combined effect of:

- Three storeys of accommodation to the rear;
- A large footprint extending deep into the plot;
- A detached double garage and extensive hardstanding;

is that the building is substantially larger and more voluminous than neighbouring properties. Street-scene drawings and elevation plans show a dwelling that:

- Dwarfs adjacent housing in both ridge height and overall massing;
- Presents an elongated, high rear elevation, particularly prominent on the sloping land;
- Reads, in landscape terms, as an over-development of a sensitive Green Belt site.

8.2 Misleading description as “two storeys”

Despite the clear three-storey form to the rear, the application repeatedly emphasises that the dwelling is “two storeys” and seeks to align it with a more modest scale of development.

This is misleading for decision-makers and the public because:

- The third storey is not a minor basement but a full lower-ground floor with direct access onto external terraces;
- In key public and private views (from the valley, neighbouring gardens and public rights of way), the building will be perceived as three-storey, not two;
- The true visual bulk and dominance is therefore materially understated in the Planning Statement.

8.3 Overbearing and dominating relationship with neighbouring dwellings

Compared with existing houses on either side, the proposed dwelling:

- Is noticeably taller and broader in its main built form;
- Extends significantly further back into the plot, increasing perceived depth and mass;
- Has an angled footprint that turns principal elevations and windows towards neighbouring properties, increasing the sense of enclosure and dominance.

The result is a building that visually overwhelms its neighbours, contrary to the requirement in Local Plan Policy D1 that development should respect scale, mass, proportion and setting.

8.4 Inappropriate design precedent and false reliance on 2025/0279

The applicant relies heavily on the approval of nearby application 2025/0279 as justification, yet:

- That scheme includes a more modest overall bulk and footprint, with a simpler, less aggressive form;
- It does not incorporate a similar combination of three storeys, extensive terracing and large detached garaging concentrated on a comparatively constrained Green Belt plot;
- Each case must be assessed on its own merits, and one permission does not create an open-ended precedent for progressively larger and more intrusive forms of development.

The Planning Statement itself acknowledges that the current proposal introduces a lower-ground “entertainment suite” and multi-level terracing, going materially beyond what would ordinarily be read as a simple two-storey dwelling.

8.5 Green Belt appeal precedents on excessive scale and massing

National appeal decisions consistently confirm that even a single dwelling can be unacceptable in the Green Belt where its scale, massing, bulk, or engineered form materially harms openness

or detracts from rural character. The issue is not the number of dwellings proposed, but the visual and spatial impact of what is being introduced.

Three recent Inspectorate decisions illustrate this principle with striking clarity:

APP/A1910/W/25/3364603- Tring (09 September 2025)

Permission was refused for a holiday let 30% smaller than the existing single-storey stable it sought to replace. The Inspector found that:

- The proposal failed to meet Grey Belt exception tests;
- Its form and visibility resulted in substantial harm to openness; and
- Even modest replacement buildings can be inappropriate where they increase the perception of built development.

The scheme in 2025/0955 before Barnsley Council is far more substantial, a multi-level, three-storey dwelling cut into a hillside and visible from the village of Cawthorne. If a materially smaller building was deemed harmful in Tring, the magnitude of this proposal's impact on openness is self-evidently greater.

APP/Q3630/W/25/3363574, Addlestone (02 September 2025)

A single-storey bungalow on a parcel of land described as "unkempt" was dismissed because:

- Its scale and footprint had a spatial impact on openness;
- The dwelling remained visible from the public realm; and
- Even limited built form represented an encroachment into the Green Belt.

The Addlestone scheme was low-profile, modest and screened, yet still refused. By contrast, the current proposal at 2025/0955 introduces a substantially larger structure, engineered terraces, and an oversized garage into a visually prominent sloping site. The adverse impact here is demonstrably more significant.

APP/G5180/W/24/3351225, Bromley (11 April 2025)

A replacement bungalow (following the demolition of a previous dwelling on the site) was refused because:

- Its bulk and design quality were not appropriate for a Green Belt context;
- It resulted in harm to landscape character despite residential use nearby; and
- The Inspector was clear that poorly integrated development fails Green Belt tests even where dwellings exist elsewhere on the street.

The proposed design in 2025/0955 is visually dominant, excessive, and stylistically incongruous with the established vernacular of Norfield House and surrounding properties. Like the Bromley case, it introduces a discordant, engineered, and urbanising form into a rural hillside.

These decisions firmly establish that:

- One dwelling can cause Green Belt harm if it increases massing, bulk or perception of development;
- Visibility and spatial impact, not simply footprint, determine harm to openness;
- The presence of other dwellings does not justify disproportionate or intrusive new development;
- A design that alters landscape character fails Green Belt purpose, irrespective of use.

The proposed dwelling at Land West of Norfield House:

- Is substantially larger, higher and bulkier than nearby examples;
- Presents a three-storey rear elevation through ground engineering;
- Introduces a large detached garage, terraces and cut-and-fill works into open Green Belt;
- Urbanises a rural slope, increasing perceived built form from multiple public viewpoints.

This scale, massing and engineered alteration of landform result in clear spatial and visual harm to Green Belt openness. The scheme is not a proportionate replacement, nor a sensitive infill-it is an over-scaled and intrusive intervention.

The parish meeting therefore considers the design to be excessive and inappropriate for a Green Belt location, failing Local Plan Policy D1, GB1, and relevant NPPF design and Green Belt policies.

9. Drainage, septic tanks and boundary accuracy

The application provides no drainage strategy, no percolation testing, no foul-water proposals, and no assessment of the impact of the neighbouring septic tank and soakaway. This is a significant omission on a sloping, unstable site with known groundwater and subsidence issues.

The applicant only refers to “A water treatment plant” in regards to the drainage provision for the site.

9.1 Regulatory requirements governing septic tanks

Several statutory and regulatory requirements apply:

(a) Building Regulations 2010- Part H (Drainage and Waste Disposal)

Part H expressly requires:

- A minimum 7 m separation distance between a septic tank and any habitable building;
- A minimum 3 m distance from any boundary;
- That effluent must be discharged to ground only where percolation rates are suitable, as proven by a BS6297-compliant test;
- Drainage fields should be at least 15m from any building and at least 10m from any watercourse or permeable drain;

- That soakaways must be sited so as not to cause ground instability or endanger foundations.

Given the steep gradient of the site and proximity of neighbouring dwellings, it is unlikely that a compliant location exists unless demonstrated by site-specific hydrological tests—which have not been provided. In addition, the application fails to prove that the existing septic tank in the site (owned by Norfield House) is outside of the relevant and required separation distances.

(b) Environment Agency-General Binding Rules (2020 revision)

Under the EA's binding rules:

- New development cannot install a drainage field within 50 m of a well, spring or borehole used for drinking water;
- Drainage fields must not be located on steep slopes, or where groundwater is at or near the surface;
- Any septic tank discharging to ground must not affect the structural integrity of adjacent properties.

Given known groundwater run off issues and shallow coal workings (see Section 6), this site is high risk for infiltration drainage issues.

9.2 The applicant cannot lawfully connect to the existing Norfield House septic tank

There are significant legal and technical reasons preventing connection to the neighbouring septic tank:

(a) Consent of the tank owner is legally required

The septic system belongs to an existing property and is not registered as a shared system. Under the Water Industry Act 1991, Schedule 8, and property law, connection requires express written consent of the owner. No such permission has been provided or indicated.

(b) Shared septic tanks are no longer permissible for new development

Under post-2020 EA General Binding Rules, new dwellings cannot discharge to a shared septic tank unless the system is fully upgraded to a package treatment plant with a compliant drainage field serving all properties. Retrofitting a treatment plant would require major civil works—none of which are shown.

(c) Increase in loading would breach binding rules

A three-storey dwelling with multiple bathrooms would heavily increase effluent loading, invalidating compliance with Binding Rule 1 (sufficient treatment capacity).

(d) Legal precedent: failure to provide independent foul drainage is grounds for refusal

Inspectors have repeatedly dismissed appeals where applicants attempt to rely on or connect to neighbouring septic infrastructure:

APP/G4240/W/19/3232854, Ashton-under-Lyne (28 January 2020)

In this case, the Inspector dismissed the appeal because the appellant had not provided robust or verifiable evidence demonstrating how foul and surface water drainage would be managed. The Inspector noted that:

- The appellant had failed to prove that an existing neighbouring septic tank had the capacity to accommodate additional flows;
- No evidence was submitted confirming the final point of discharge from the septic system; and
- The proposed arrangements lacked certainty, technical justification, and compliance with recognised drainage standards.

As a result, the Inspector concluded that:

“In the absence of clear, detailed and reliable information, there existed an unacceptable risk of pollution, environmental harm and adverse effects on the natural environment.”

The decision confirms that where drainage proposals are incomplete, unproven or dependent on third-party infrastructure whose capacity or outfall is not established, planning permission must be refused. The Planning Inspectorate has made it clear that unresolved foul or surface water disposal arrangements cannot be left to condition, cannot be assumed to be acceptable, and must be fully evidenced at the point of determination.

This precedent directly supports the argument that speculative or unverified drainage strategies, particularly those posing a risk of pollution, groundwater contamination, or downstream impact, are not compliant with national policy and cannot form the basis for a grant of planning permission.

This application suffers the same defect: the foul drainage strategy is unimplementable, making the application incapable of lawful construction.

9.3 The site is unsuitable for a compliant soakaway

To comply with Part H and BS6297, the applicant must provide:

- Percolation tests
- Soil infiltration test results
- Site-level topography and groundwater data
- Evidence that the soakaway can be situated 10 m from any watercourse

No such evidence is provided.

On steep slopes, drainage fields are typically prohibited or require specialist design due to risks of:

- Slope failure
- Groundwater breakout downslope
- Pollution of neighbouring land
- Undermining foundations

The Coal Mining Risk Assessment (see Section 6) confirms probable shallow workings and variable strata, which increase water channelling and reduce stability, making soakaways even more unsuitable.

Given that the proposal involves deep excavation into a bank already known for instability, installing a drainage field here would pose a significant risk to neighbouring dwellings.

9.4 Impact on neighbours' property and potential liability

If the applicant attempted to install an soakaway/drainage field or treatment plant near the boundary, it could:

- Alter groundwater movement downslope
- Increase soak and heave pressures behind neighbouring retaining walls
- Contribute to subsidence and ground-slip risks
- Create civil liability under the common law of nuisance and the principle in *Leakey v National Trust* (1980) where land-owners are liable for foreseeable ground movement affecting neighbours.

The Local Planning Authority is required under NPPF para 159 to prevent development on unstable land and ensure that drainage proposals do not worsen land instability.

9.5 Absence of any drainage strategy is contrary to policy

The complete absence of a drainage strategy conflicts with:

- Local Plan Policy CC4 – Sustainable Drainage
- Local Plan Policy CC1 – Reducing Environmental Risks
- NPPF para 169 – requiring site-specific drainage details before approval
- Building Regulations Part H
- Environment Agency General Binding Rules

Barnsley MBC consistently requires a drainage strategy at validation or determination stage for new dwellings. This application contains none.

10. Highway safety

The proposed access joins a national highway (60 mph) rural lane which already exhibits known, documented highway safety problems.

10.1 Existing difficulty for current residents

Residents further up Bank End Lane already experience such difficulty exiting their driveways that mirrors have been installed on roadside poles simply to achieve adequate visibility in both directions (*see Appendix 5 for associated evidence*).

This is clear evidence that:

- Sightlines from private accesses are constrained;
- Drivers emerging from driveways cannot safely see approaching vehicles without artificial aids;
- A new access point would introduce additional conflict points on a highway already operating with marginal visibility.

10.2 Narrow carriageway and lack of centreline

Bank End Lane is:

- Narrow,
- Lacking a centreline (carriageway centre marking), and
- Of insufficient width for two vehicles to pass comfortably without delay and for larger vehicles having to often mount the pavement to enable other vehicle to adequately pass.

Consequently:

- Two cars frequently cannot pass side-by-side at normal speed;
- Larger vehicles require pulling into driveways or mount pavements to permit passing;
- A turning vehicle from the proposed access would cause delay, conflict or queuing.

The absence of a centreline indicates the carriageway width is sub-standard for opposing flows and turning movements, making it incompatible with further residential trip generation.

10.3 Known speeding issues and previous engagement with Highways

There is documented evidence of excessive vehicle speeds on this approach into the village. Parish meeting records and prior correspondence with the Highway Authority show that:

- The village has previously asked for the 30 mph speed limit to be extended further up Bank End Lane;
- High approach speeds are a known concern.

In this context, the creation of a new access in a location where:

- Speeds are often above 60 mph;
- Visibility and carriageway width are constrained;
- Vulnerable users are present;

would materially increase the risk of collisions and near-misses.

10.4 Vulnerable road users: horses, cyclists and pedestrians

Bank End Lane is frequently used by:

- Horse riders (equestrians),
- Cyclists,
- Pedestrians walking to countryside destinations.

Given:

- Lack of a centreline,
- Narrow carriageway,
- High vehicle speeds,
- New turning movements on a steep gradient,

Vulnerable road-users would face significantly increased risk of conflict. This is inconsistent with the NPPF's objective of giving priority to safe use of the highway by non-motorised users.

10.5 Construction traffic and network impact

No Construction Traffic Management Plan is submitted.

Key concerns:

- Bank End Lane is a key commuter route from West Yorkshire to Barnsley and to join the M1 motorway;
- Large construction vehicles accessing a narrow lane with no waiting area or turning bay would cause obstruction;
- Any temporary traffic control or waiting vehicle would impact commuter traffic, residents and vulnerable users.
- Waste from the site could cause hazardous conditions on the road, leading to potential accidents.

In the absence of robust construction traffic arrangements, the proposal fails to demonstrate that construction phase impacts would be acceptable.

10.6 Policy context and relevant precedents

Local Plan Policy T4: New Development and Highway Safety requires:

“New development will be expected to be designed and served by a safe, secure and convenient access and appropriately located in relation to the highway network... Development will not be permitted if it would generate traffic which would result in a detrimental impact on highway safety.”

The NPPF (2024, para 116) states that development should be refused if:

“...there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Recent Planning Inspectorate decisions support the position that new accesses onto narrow rural lanes with limited width and poor visibility are unacceptable on highway safety grounds:

APP/P0240/W/23/3331231, Bedfordshire (9 April 2024)

In this appeal, the Inspector found that forming or intensifying an access onto a narrow rural lane with no centreline markings and restricted carriageway width gave rise to an unacceptable risk to highway safety. The combination of limited width, lack of segregation between opposing traffic and the inability for vehicles to pass safely was determinative. The Inspector concluded that such conditions could not be adequately mitigated, and consequently dismissed the appeal.

APP/M2270/W/20/3265584, Richborough (9 March 2022)

In this case the Inspector dismissed the appeal where an access was proposed onto a lane with substandard visibility and width constraints. The decision confirmed that where forward visibility, emerging visibility splays or effective running width cannot be achieved within the highway boundary or applicant's land, the residual risk to users of the highway is unacceptable, and refusal is justified.

These decisions underline a clear principle: where a proposed access is onto a narrow rural lane with no centreline, restricted width and/or inadequate visibility, and where these deficiencies cannot be remedied within land controlled by the applicant or the highway authority, the correct and consistent outcome is refusal on highway safety grounds.

Taking into account:

- Existing visibility issues (mirrors installed),
- Narrow carriageway lacking centreline,
- Known speeding problem,
- Presence of vulnerable users,
- Absent construction traffic plan,

the parish meeting concludes the proposal fails the T4 and NPPF para 116 tests and would result in an unacceptable impact on highway safety.

11. Overhead power lines: unassessed impact

Overhead power lines cross or run immediately adjacent to the proposed development site. The application acknowledges their presence and suggests that the lines may need to be moved, yet no consultation, design assessment, or agreement from Northern Powergrid is provided. This omission is material, given the legal, safety, operational and deliverability constraints associated with development in proximity to overhead conductors.

11.1 Safety and legal framework: ESQCR 2002 (Regulation 17) and HSE guidance

The Electricity Safety, Quality and Continuity Regulations 2002 (as amended) require that overhead lines maintain statutory minimum safe clearances above buildings and structures. Under Regulation 17 (“Clearances”), electricity distributors must ensure safe distances are maintained in accordance with nationally recognised engineering standards (including ENA TS 43-8).³

It is clear from the proposed ridge height and elevated siting that the dwelling would encroach into the statutory safety clearance envelope, meaning the existing overhead lines cannot legally remain in place.

Because the proposed building height extends into the mandatory safety-clearance zone under ESQCR Regulation 17, the development:

- cannot be built with the lines in their existing position;
- requires a relocation, raising, or undergrounding scheme;
- requires DNO approval and technical design;
- requires new access rights and landowner permissions along the revised route.

The application fails to provide any evidence that these essential works are deliverable.

Additionally, the Health and Safety Executive’s GS6 guidance, the Electricity at Work Regulations 1989, the Health and Safety at Work Act 1974, and the CDM Regulations 2015 all require that any development near overhead lines be:

- fully planned,
- risk-assessed,
- subject to safety zones, and
- undertaken with DNO (distribution network operator) agreement.

The application provides none of these.

11.2 Northern Powergrid wayleaves, land rights and operational constraints

Northern Powergrid typically holds:

- statutory rights,
- wayleaves, or
- easements

for overhead line corridors, granting them access, clearances, and control over development beneath or adjacent to conductors.

³ Typical statutory minimum clearances:

- Low Voltage (LV) lines: approx. 3.0–3.7 metres above any part of a building
- 11 kV rural distribution lines (common in this area): typically 5.2–6.7 metres, depending on conductor type, span length and temperature sag factors

Key constraints include:

- Restrictions on building heights and proximity,
- Limitations on tree/vegetation planting,
- Requirements for unimpeded access for maintenance and emergency works,
- Requirements for safe working clearances for plant and machinery.

The application does not address:

- Whether existing easements restrict the proposed layout;
- Whether Northern Powergrid has agreed to divert, raise, or underground the lines;
- How safety clearances will be maintained during construction and occupation.

11.3 Third-party landowner refusal prevents deliverability

The parish meeting understands that:

- The overhead line continues down the slope beyond the development site;
- The line then crosses a field opposite High Hoyland Lane;
- The owner of this field has expressly stated that they will not grant permission for power line relocation works or access across their land.

This creates a major deliverability barrier:

1. Northern Powergrid cannot implement a relocation without landowner consent or compulsory powers (which are not available to applicants).
2. The applicant does not control the land required for diversion.
3. The proposed diversion is therefore not feasible, meaning the development is not implementable.

Planning case law and appeal precedent confirm that developments relying on essential works over land the applicant does not control are incapable of implementation and should be refused.

12. Lack of sustainability

The proposal fails to meet the environmental, energy, transport, and drainage sustainability requirements of the Barnsley Local Plan and the NPPF (2024). The development is fundamentally unsustainable in its design, location, energy use, and environmental impact. It conflicts with:

- Local Plan Policy CC1-Climate Change
- Local Plan Policy CC2-Sustainable Design and Construction
- Local Plan Policy RE1- Low Carbon and Renewable Energy
- NPPF paras 8, 105, 152-158, 159, 167 and 169

The sustainability failings are numerous and material.

12.1 Unsustainable rural location: severe car dependency

The site is located in an isolated position with extremely limited public transport, understood to be one bus per week. Residents would therefore rely exclusively on private cars for:

- Work
- Education
- Healthcare
- Food shopping
- Services and amenities

The proposal includes four parking spaces, confirming the dwelling has been designed around car dependency, directly contrary to NPPF para 105 and Local Plan CC1.

Recent appeal decisions demonstrate a consistent and well-established planning position: rural dwellings located where access to services and facilities is car-dependent are inherently unsustainable and must be refused.

APP/X1545/W/23/3325960 Maldon (14 December 2023)

The Inspector dismissed the proposal for a new rural dwelling, concluding that the absence of convenient public transport and the limited frequency of the nearest bus service would leave future occupants wholly reliant on the private car. The Inspector further noted that the site's isolation and lack of safe or practical walking routes placed unreasonable constraints on access to everyday services and facilities, contrary to national sustainability objectives.

APP/X1118/W/22/3304360 Georgeham, North Devon (23 June 2022)

In this case, the Inspector gave "considerable weight" to the site's inevitable car dependency. The settlement pattern, absence of proximate services, and unsafe walking environment meant that car use would form the primary, and in practice only, mode of transport. The appeal was dismissed on that basis.

APP/J1860/W/25/3356523 Worcestershire (Decision 2025)

Here, the Inspector held that the rural location was inherently unsustainable, as it could not meet the day-to-day needs of future occupiers without reliance on private motor vehicles. The lack of nearby services and inaccessible transport options rendered the development contrary to the spatial strategy of the development plan and the sustainability principles of the NPPF. The appeal was dismissed.

Significance to the current application

These cases collectively reinforce the principle that:

- A dwelling in a location without safe pedestrian access, frequent public transport or proximity to everyday services,
- fails the NPPF tests of sustainable development, and
- must be refused, regardless of the scale of the proposal.

The Inspectors in all three decisions reached the same conclusion: where residents would be dependent on private vehicles for basic needs, the development is not sustainable.

This directly parallels the circumstances of the present application, where:

- Public transport provision is minimal or non-existent,
- Walking routes are unsafe or impractical, and
- Essential services cannot be accessed without a car.

Accordingly, the proposal demonstrably fails to comply with the national and local planning requirement for sustainable development and should be refused on that basis alone.

12.2 Fossil-fuel (oil) heating and the impossibility of powering a building of this scale with solar panels

The application appears to imply that solar PV panels could offset energy demand instead of oil heating, which is the core source of heating for residents in High Hoyland, as the village is not connected to mains gas. This is technically implausible.

Typical domestic PV generation:

- 3-4 kWp, producing
- 2,800-3,800 kWh per year,
- With very low winter output (when heating demand peaks).

By contrast, a dwelling of this size is likely to require:

- 10,000-14,000 kWh per year for heating and hot water alone,
- Plus additional electricity for lighting, appliances, ventilation, and EV charging.

Solar PV can therefore provide only a small fraction of the required energy and one could suggest that the applicant would need to utilise an oil-fired heating system for a portion of their requirements. Therefore, the dwelling may remain a high-carbon emitter, contrary to Barnsley's climate policies. If so, the proposal would therefore fail to comply with CC1, CC2, RE1 and the NPPF.

12.3 Inadequate foul drainage and missing septic tank details

The application fails to provide a foul drainage strategy, including:

- No septic tank or treatment plant specification
- No percolation / infiltration testing (BRE 365 / BS6297)
- No drainage field design
- No assessment of ground instability, mining legacy or slope risk
- No cumulative assessment of existing septic systems nearby
- No demonstration of compliance with the General Binding Rules (EA 2020)

This is a major omission, especially given:

- The steep gradient
- Known subsidence risks

- Shallow coal workings
- The risk of groundwater infiltration and accelerated slope instability (see Section 9)

Planning precedent confirms that a missing or unresolved drainage strategy is a stand-alone reason for refusal as already stated. The proposal clearly fails to comply with NPPF paras 159, 167 and 169 and Local Plan CC1.

12.4 Sustainability conclusion

Because the proposal:

- Is located in a wholly unsustainable rural location;
- Relies on private car use for all travel;
- Cannot realistically be supported by solar power;
- Provides no drainage strategy or septic tank design;

The application fails fundamentally to meet the environmental, transport and climate expectations of the:

- Barnsley Local Plan (CC1, CC2, RE1)
- NPPF (2024)
- Established case law and national appeal precedent

For these reasons, the parish meeting considers the application wholly unsustainable, and this forms a major and independent ground for refusal.

13. Policy conflict summary

The proposal conflicts with the following Local Plan policies:

- **GB1 Green Belt Protection**
The proposal constitutes inappropriate development in the Green Belt, harms openness, and represents encroachment into the countryside, with no very special circumstances provided.
- **SD1 Sustainable Development**
The scheme is not sustainable in transport, energy, drainage, or environmental terms, and therefore fails the basic tests of sustainable development required under SD1.
- **D1 High Quality Design and Place-Making**
The building's scale, massing, height and form are out of keeping with local character, fail to respect settlement pattern, and undermine local distinctiveness.
- **LC1 Landscape Character and Setting**
The development would intrude into a valued, visually sensitive hillside landscape, harming long-distance views and the setting of the historic hilltop village.
- **BIO1 Biodiversity and Geodiversity**
Vegetation clearance, absence of ecological assessment, and risks linked to ground instability and shallow mining conflict with requirements to conserve and enhance biodiversity and geodiversity.
- **CC1 & CC2 Climate Change and Sustainable Design**
The oil-based heating, car-dependent location, lack of public transport, and absence of a

sustainable design strategy breach the Council's climate objectives and carbon-reduction requirements.

- **CC4 Sustainable Drainage**
No viable foul drainage, septic tank, infiltration testing or SUDS strategy is provided, contrary to the requirement for robust, sustainable drainage solutions.
- **T4 Highway Safety**
The proposed access increases risk on a 60 mph, narrow rural road already known for visibility problems, speeding, and the use of mirrors by neighbours to exit safely.
- **NPPF (2024)**
The proposal conflicts with multiple sections of the NPPF relating to Green Belt protection, design, sustainable transport, climate change, drainage, and land stability.

14. Conclusion

High Hoyland parish meeting concludes that the development would cause:

- Material harm to the Green Belt and its openness;
- Material harm to landscape character and rural setting;
- Material harm to highway and pedestrian safety;
- Material harm to neighbouring amenity;
- Unacceptable environmental, drainage and stability risks.

The proposal is fundamentally contrary to the Barnsley Local Plan and the NPPF.

High Hoyland parish meeting therefore requests that planning permission is refused..

The parish meeting further requests:

- That a Case Officer site-visit be arranged; and
- That the proposal for this site be referred to the Planning Committee Board owing to Green Belt sensitivity.

Appendices

Appendix 1: Residency Evidence for Applicant / Self-Build Eligibility

Figure 1:
Open-source information showing the applicant’s past residential addresses.

Alexandra S Warsop in S75 4EN

9 Tivy Dale Drive, Cawthorne, Barnsley, South Yorkshire, S75 4EN No telephone numbers found <i>Source(s): 2008-16 Electoral Roll , Land Registry</i>	Length of Occupancy: 9 years Latest Purchase Price: £895,000 (11 Feb 2022)
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Figures 2&3
Publicly available information indicating the applicant’s current reported residence and business location (as listed online on 2 December 2025). Personal image has been redacted to protect privacy.

The image shows two screenshots of social media profiles. The top screenshot is a Facebook profile for Alexandra Warsop, showing her 'About' section with 'Places lived' listed as Burleigh Heads, Queensland (Current locality) and Barnsley (Home town). The bottom screenshot is an Instagram profile for alexandrawarsop.pmaa, a Gold Coast Cosmetic Tattoo Specialist with 414 posts, 2,095 followers, and 1,349 following. Her bio includes 'Cosmetic tattooing | Brows | Lash Lifting', 'Located Burleigh Heads QLD', and 'PLEASE text for appointments 0434360557'. Her profile picture is redacted with a blue circle. Below the bio are five category icons: Lash Lift Love, Lip Tattoo, Feather Brows, Testimonials, and Eyeliner.

Appendix 2: Rebuttal of Applicant's Statement on an Alleged Historic Water Tank

Figure 4:
Ordnance Survey mapping of High Hoyland and the immediate vicinity. Survey undertaken 1849–1850 and published in 1854. The map contains no reference to a water tank.

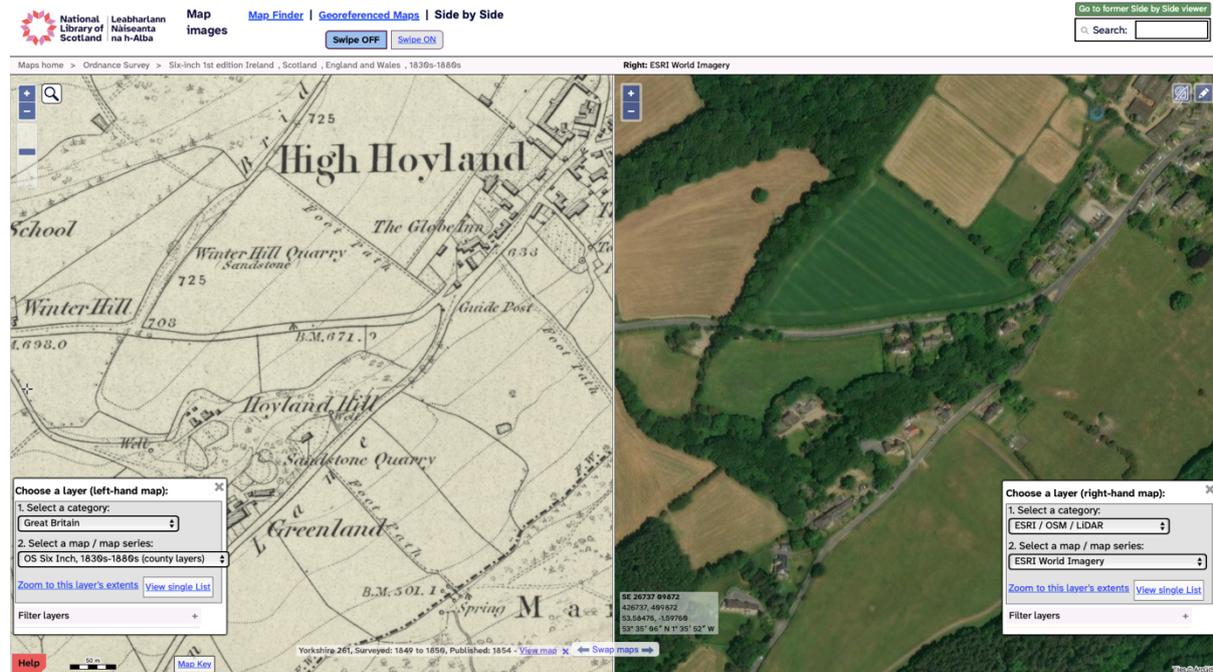


Figure 5:
OS mapping of High Hoyland and its environs, surveyed 1904 and published 1907. The map depicts a water tank positioned north of *The Perch*, around 600 feet to the west of the proposed site.

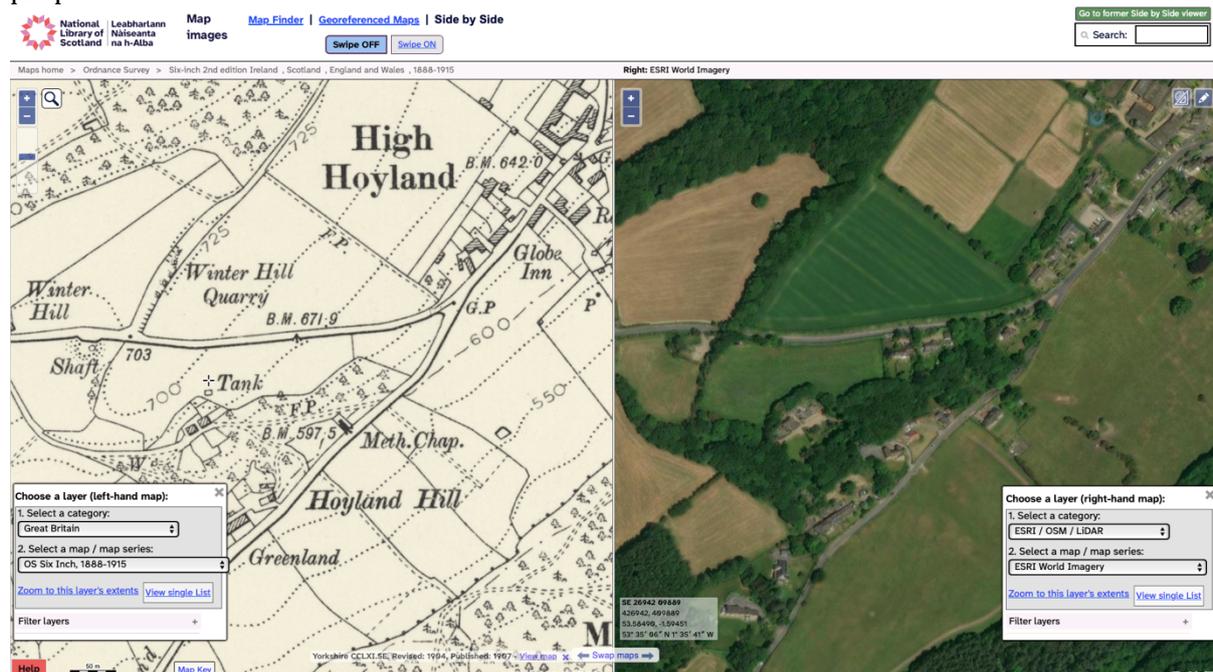


Figure 6:

1935 map of High Hoyland and the adjacent area.

The map identifies a water tank located north of *The Perch*, around 600 feet west of the proposed site.

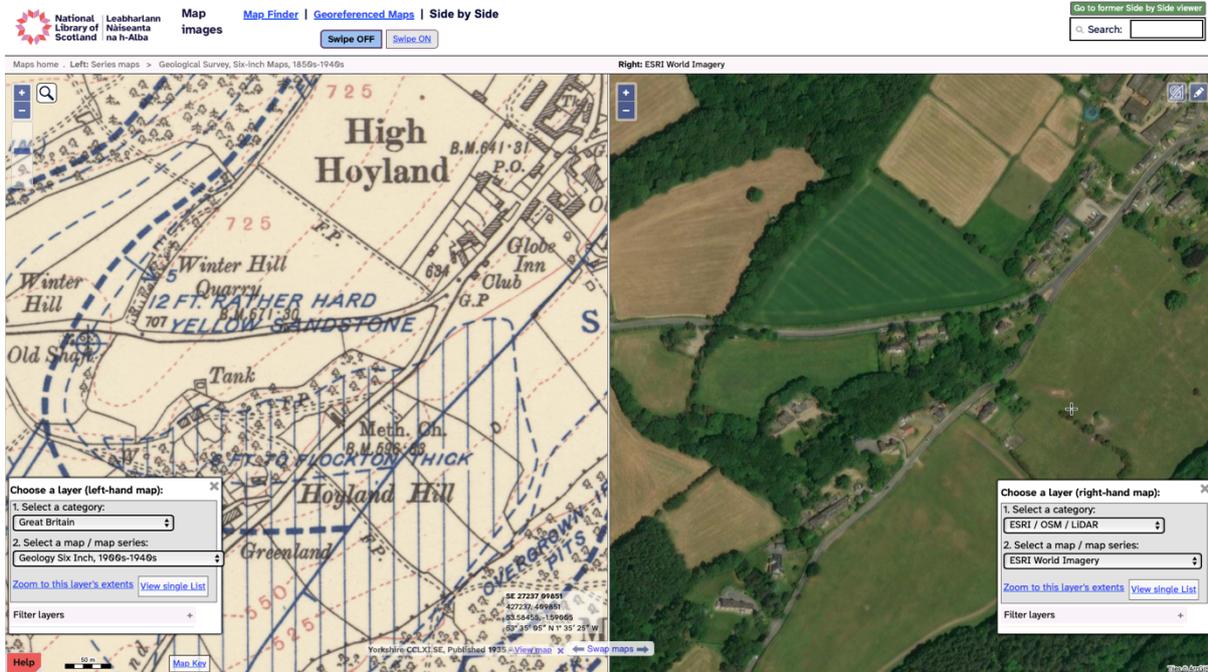


Figure 7:

OS mapping of High Hoyland, surveyed 1959 and published 1960.

A water tank is identified north of *The Perch*, approximately 600 feet west of the proposed site.

This edition marks the first appearance of *Northfield House* and shows no tank within the area of the proposed development or any adjacent residential plots.

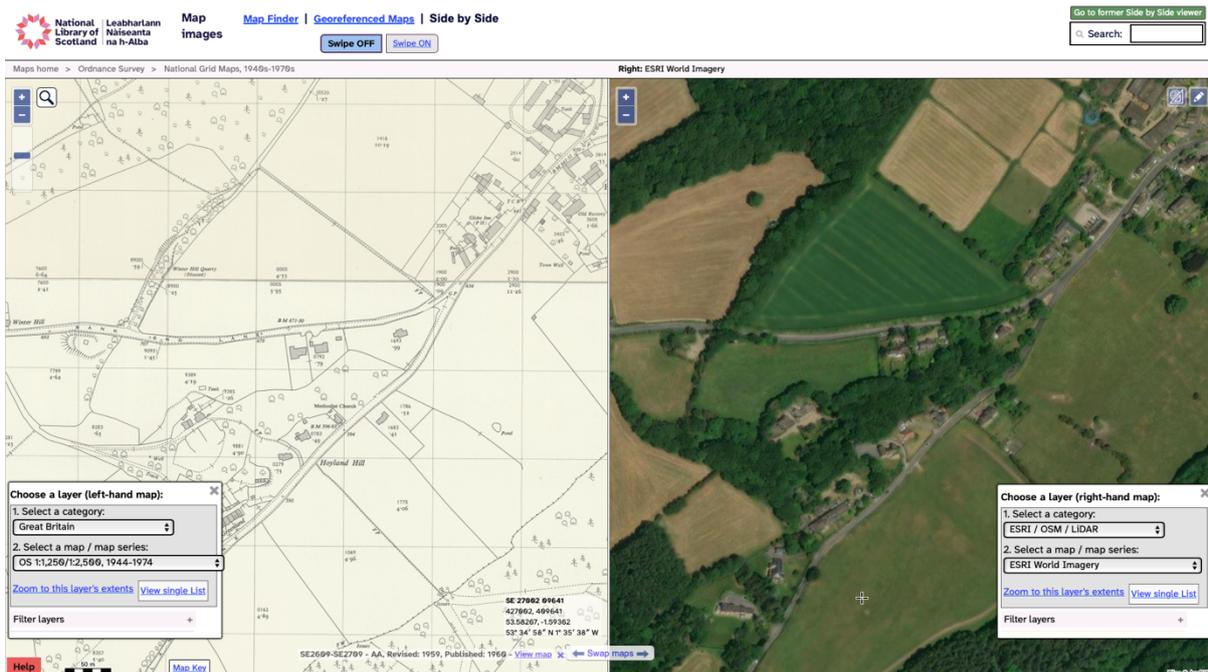
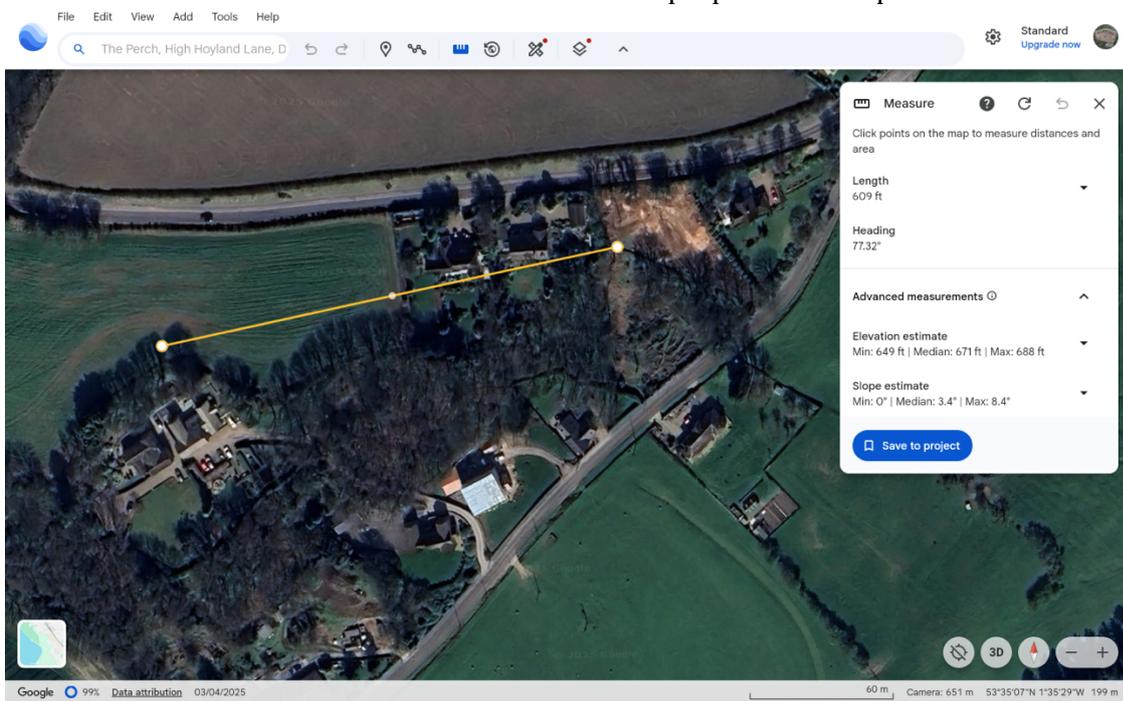


Figure 8:

Google Earth spatial imagery evidencing an approximate 600-foot separation between the historic tank site situated north of *The Perch* and the proposed development area.



Figures, 9 &10

Septic Tank and Drainage Field for Norfield House that is located on the proposed development site. Images demonstrating the position of the septic tank on the proposed development site.





Appendix 3: Aerial, Google Earth, and Parish-Compiled Imagery

This appendix presents evidence demonstrating the site's previous condition, subsequent vegetation clearance, and its current state.

Figure 11:

Aerial photograph from 1999 showing the proposed site and neighbouring properties. The

image demonstrates that the site formed part of a wooded hillside at this time.

Aerial Photo – 01/04/1999 to 31/10/2003 **£29.98**

You'll get the exact area of coverage shown below but without the watermark.

2021 (25.0cm) 2021 (12.5cm) 2018 (25.0cm) 2018 (12.5cm) 2012 (12.5cm) 2009 (12.5cm) **1999 (25.0cm)** [Need another date?](#)



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Add Photo & Date Confirmation Letter to Basket >

Your location
Norfield House, Bank End Lane, High Hoyland, Barnsley, S75 4BB [Change](#)

Figure 12:

Aerial photograph from 2002 showing the proposed site and surrounding properties. The image confirms that the site remained wooded and formed part of the broader woodland on the hillside.

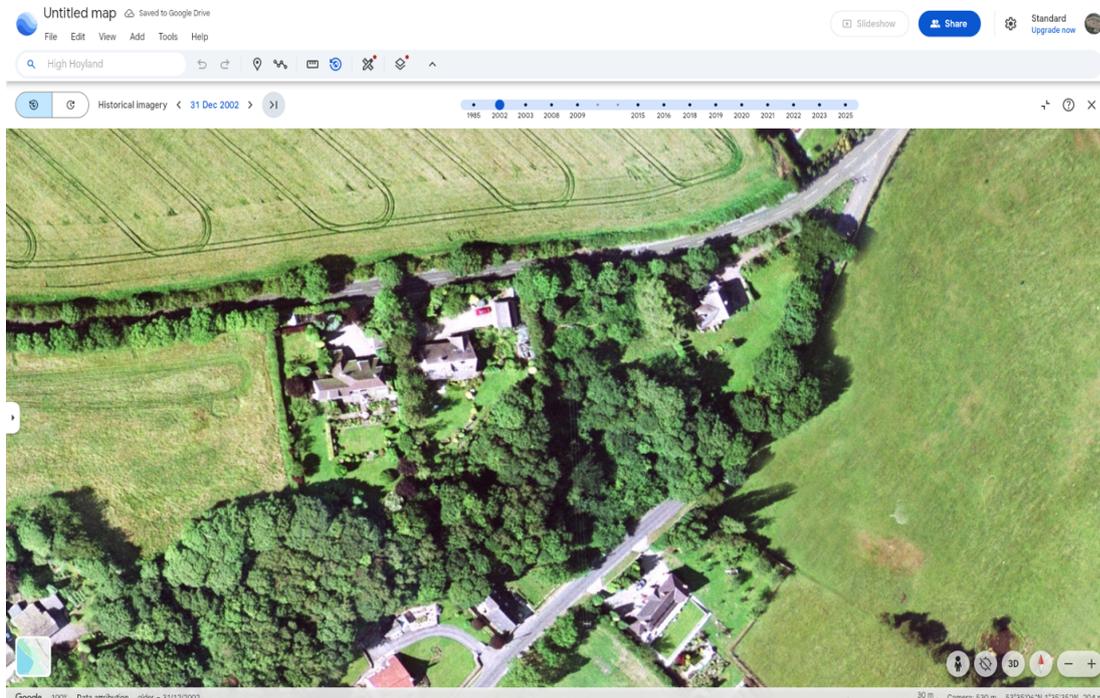


Figure 13:

Aerial photograph from 2009 showing the proposed site and surrounding properties. The image demonstrates that the site retained its woodland character and formed part of the wooded hillside.

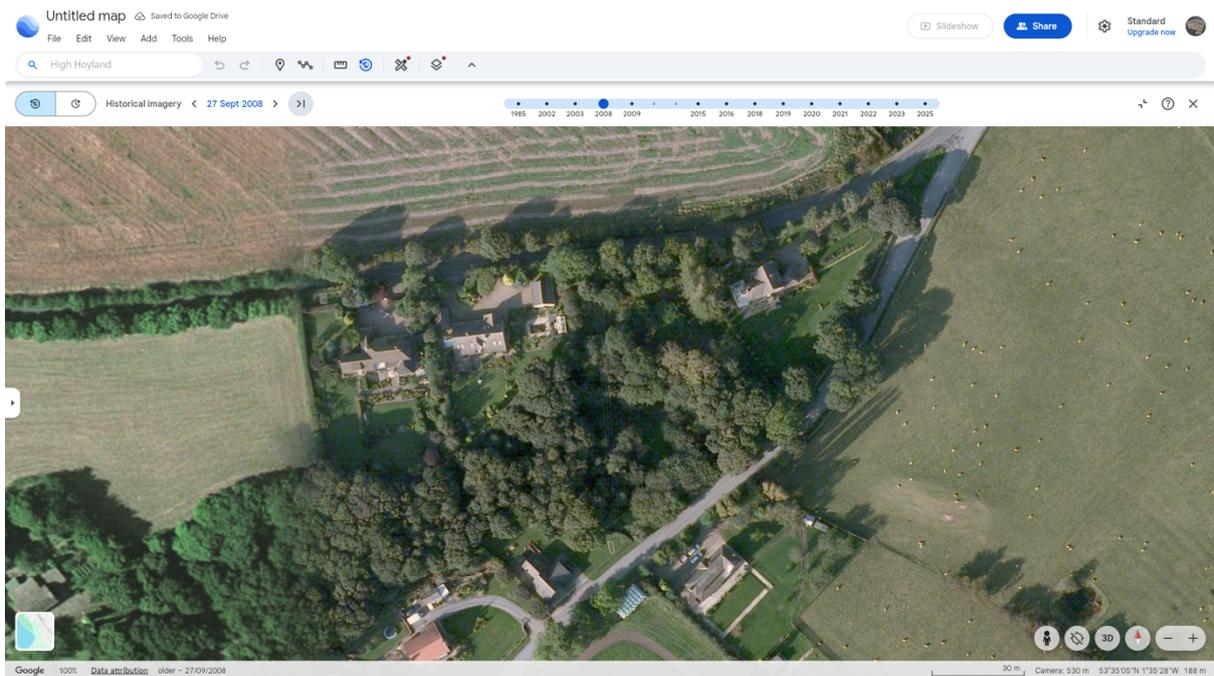


Figure 14:
 Aerial photograph from 2016 showing the proposed site and surrounding properties.
 The image demonstrates that the site retained its woodland character, with evidence of some minor tree clearance.

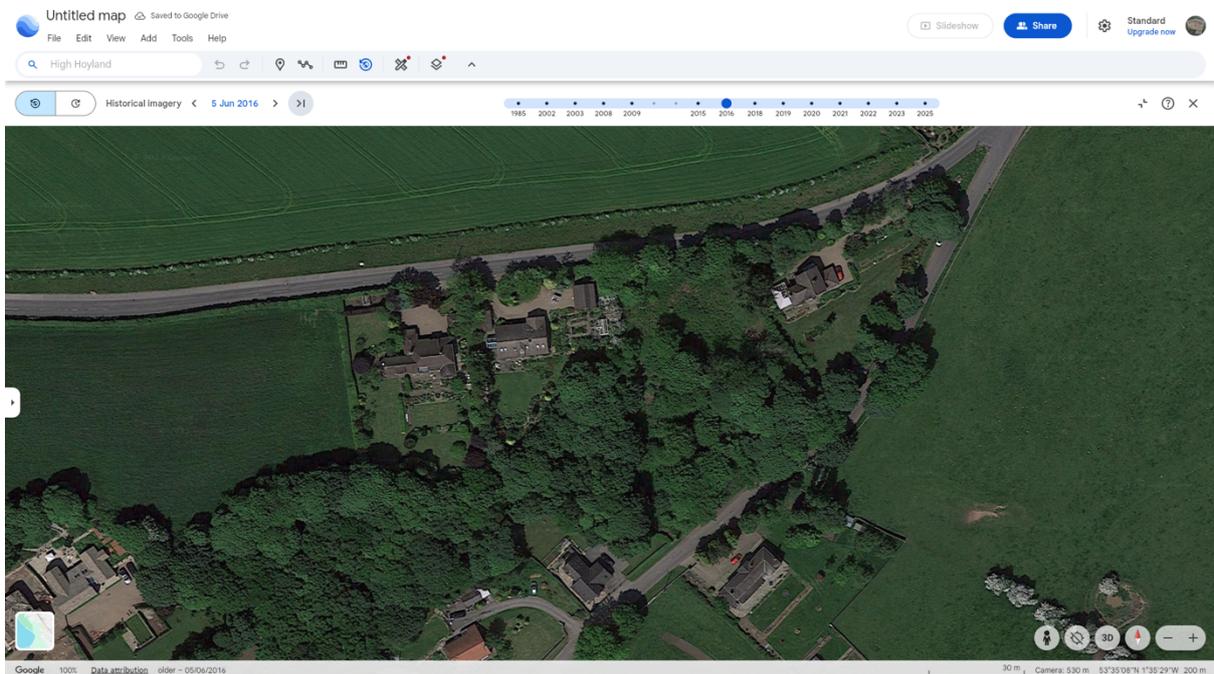


Figure 15:
 Aerial photograph from 2023 showing the proposed site and surrounding properties.
 The image demonstrates the continued woodland nature of the site and the presence of substantial vegetation across the hillside.

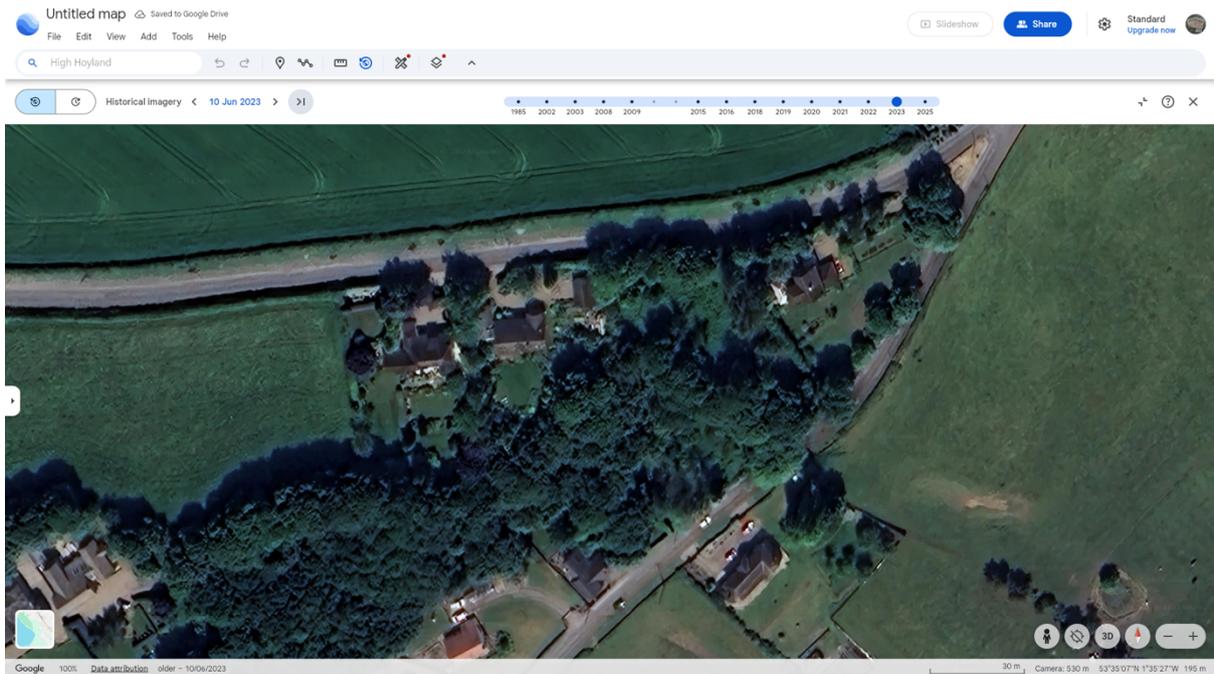


Figure 16:

Aerial imagery captured on 3 April 2025, illustrating the proposed development site and adjoining residential plots. The photograph shows substantial vegetation clearance, including widespread tree removal, extensive disturbance to the hillside, and soil scarring indicative of mechanical stripping of trees, shrubs, and ground cover.

Note: Tree shadows are visible along the Bank End Lane verge. These trees were later removed in July 2025, following the April 2025 arboricultural survey. (Refer to Figures 20-22 for confirmation of stump locations.)

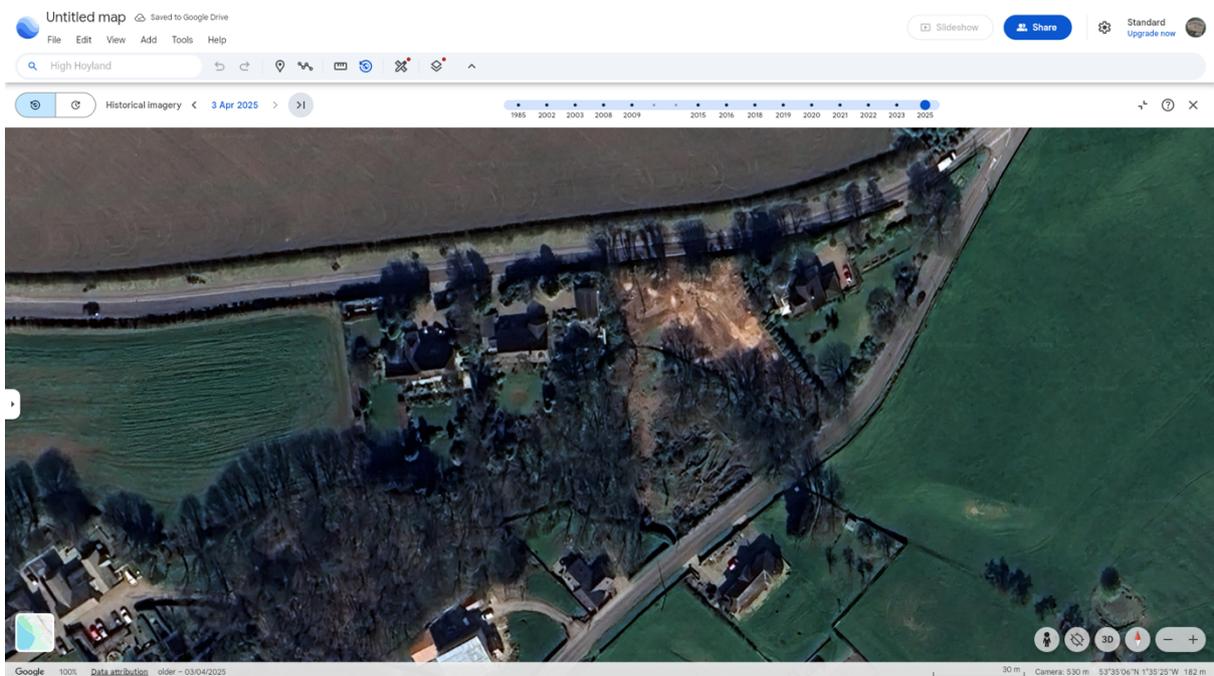
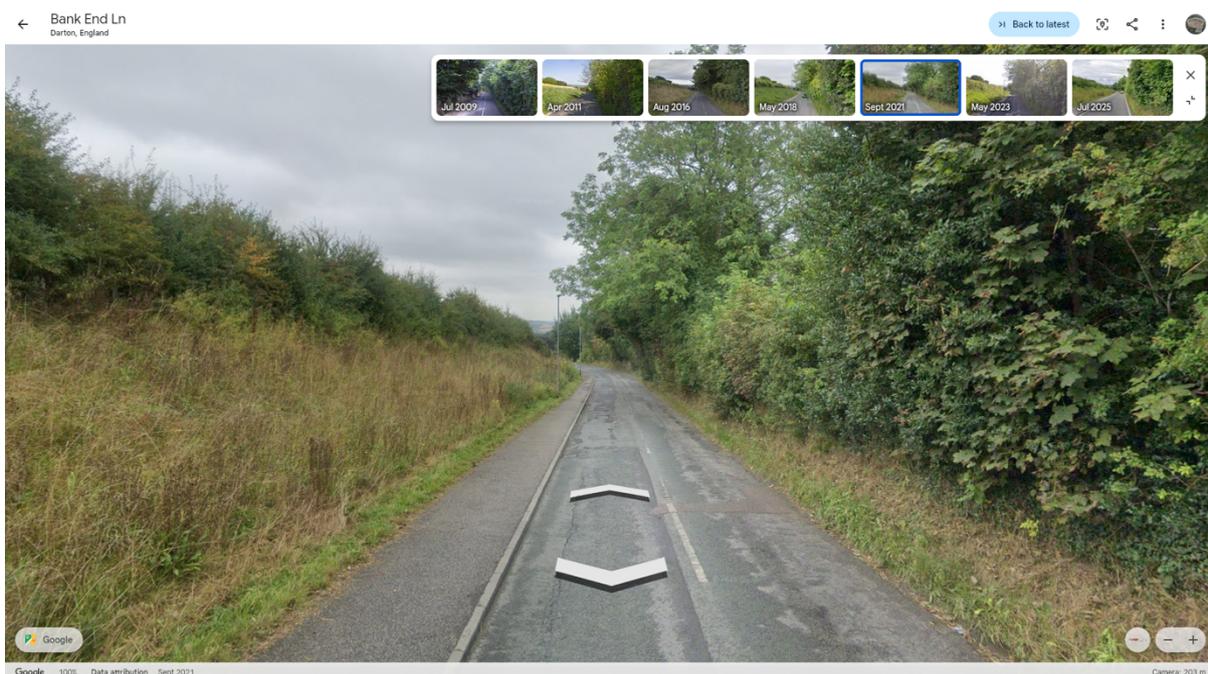


Figure 17:
2011 Google Street View capture of the proposed site frontage.
The imagery confirms the presence of a mature, tree-lined edge bordering Bank End Lane



Figure 18:
2021 Google Street View capture of the site frontage.
The imagery demonstrates that the mature, tree-lined edge bordering Bank End Lane remained intact at this time.



Figures 19, 20 & 21:
July 2025 Google Street View captures of the site frontage.
The imagery reveals significant tree removal along the boundary of the plot. The images

provides clear visual evidence of the tree stumps left after the trees were felled after the April 2025 Arboricultural assessment.

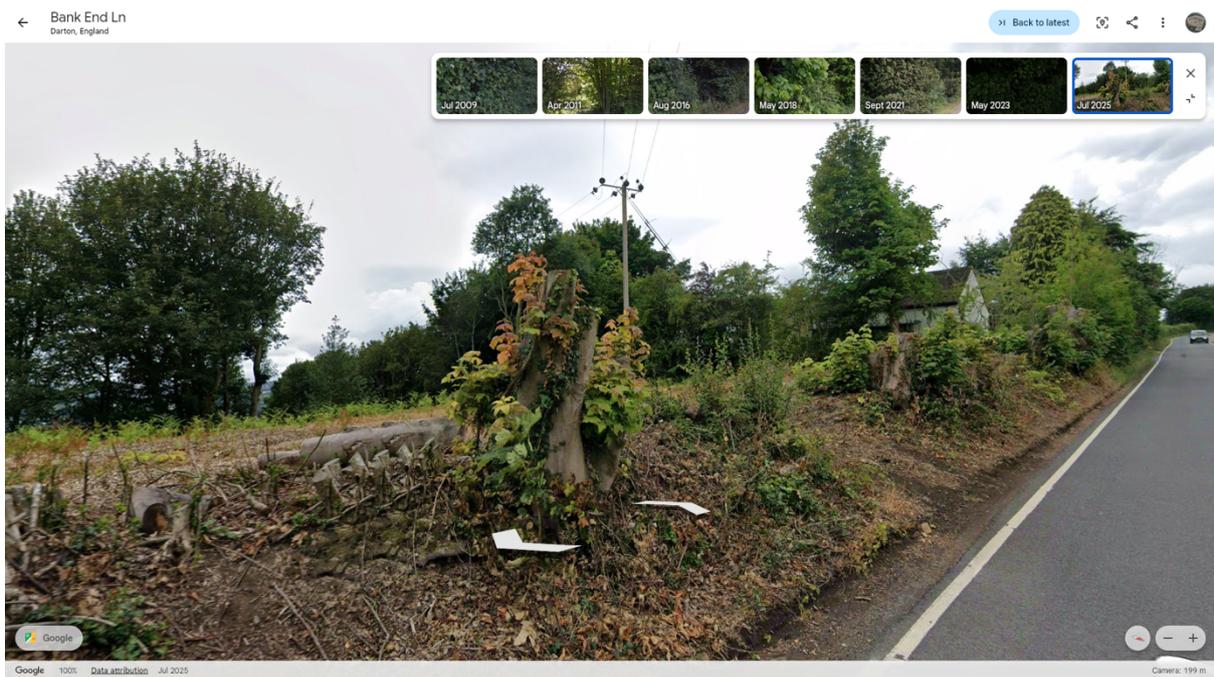




Figure 22:

May 2023 Google Street View capture from High Hoyland Lane, facing uphill toward and beneath the applicant's site.

The imagery evidence substantial vegetation, including mature trees and hedges, which may be located within the designated Tree Preservation Order area. (Refer to Figure 24/25 for verification of the TPO boundary.)

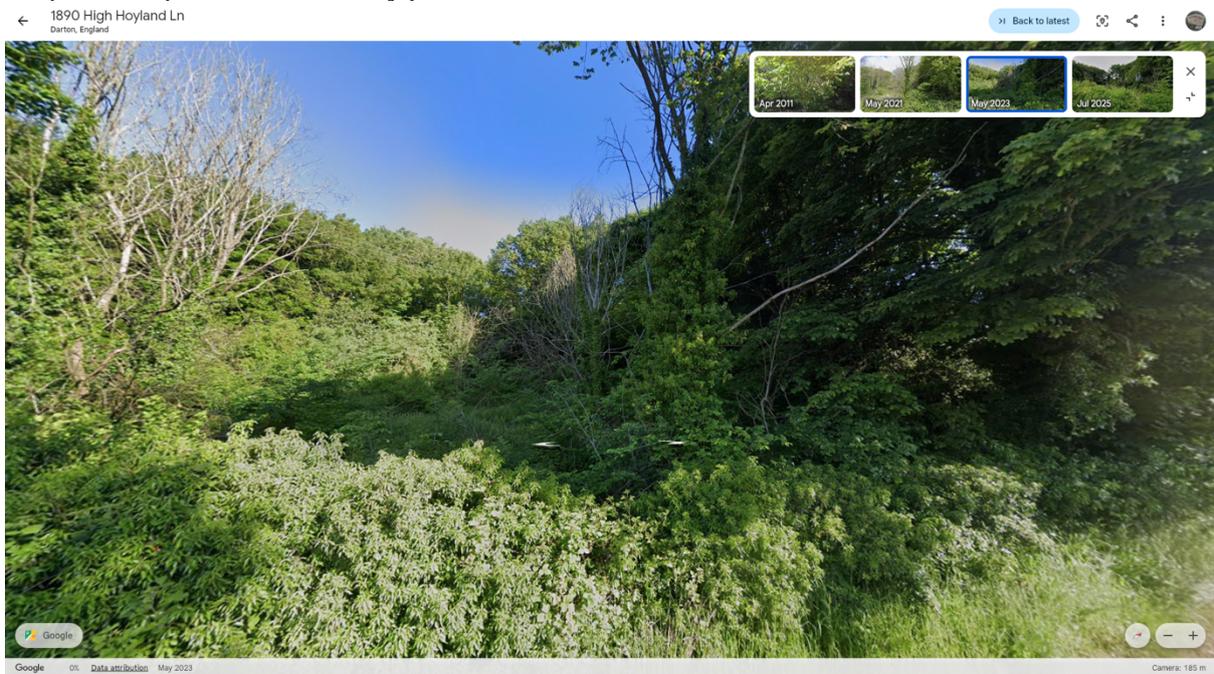


Figure 23:

July 2025 Google Street View capture from High Hoyland Lane, facing uphill towards and beneath the applicant's site.

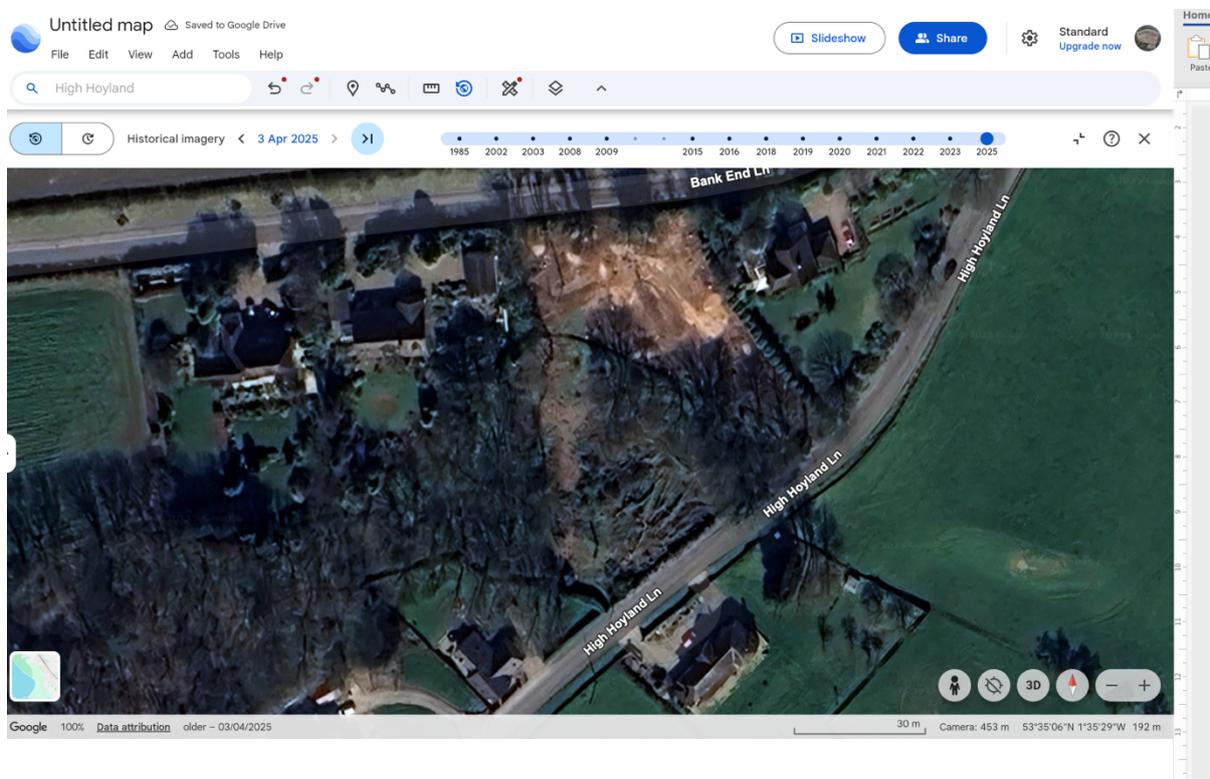
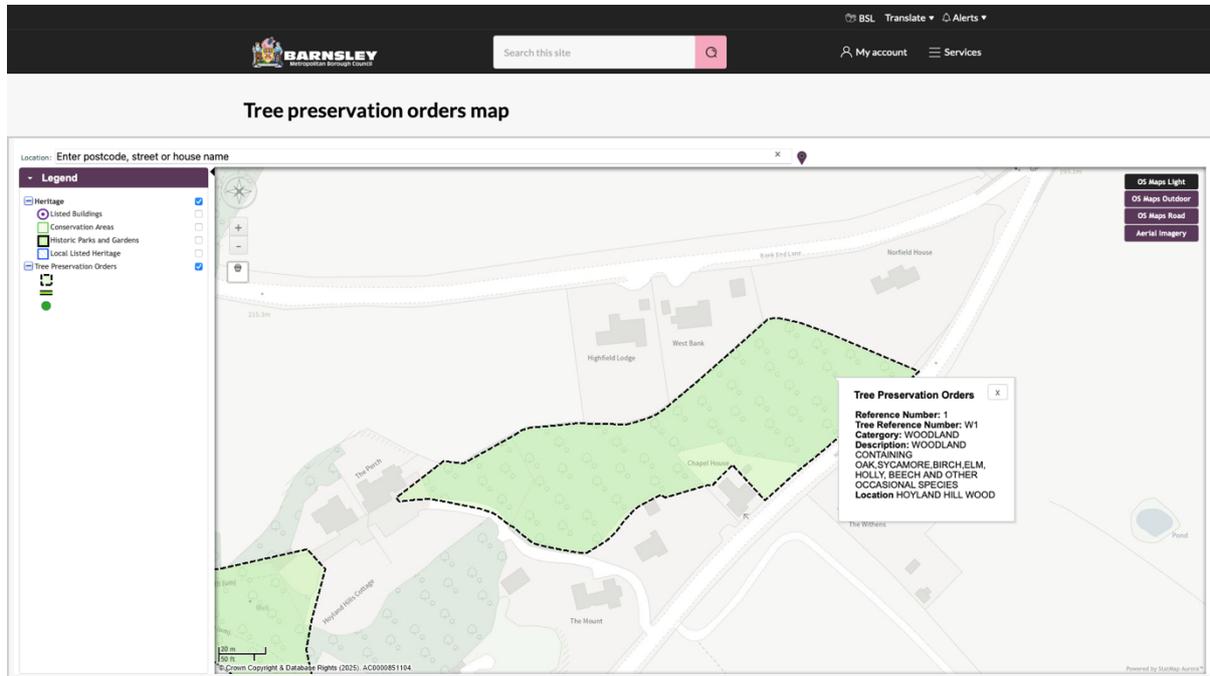
In comparison to the May 2023 imagery, this photograph shows extensive tree felling and vegetation removal, indicating a marked reduction in woodland cover. The visual change evidences significant site clearance activity.

The area shown may be located within the designated Tree Preservation Order zone. *(Refer to Figure 20 for verification of the TPO boundary.)*



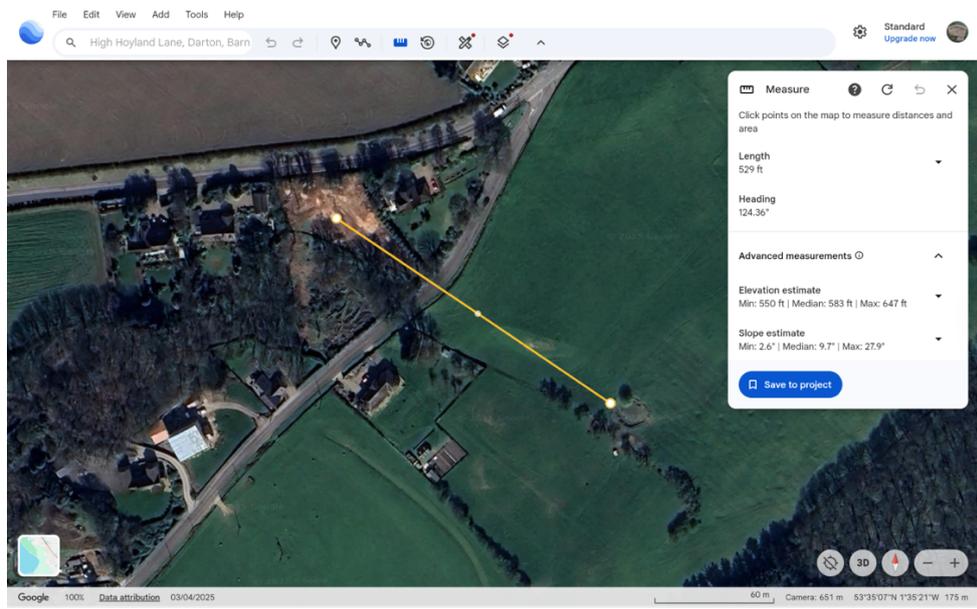
Figure 24&25:
Tree Preservation Order Map (Accessed November 2025)

This map confirms that sections of the land affected by recent vegetation clearance and tree felling lie within a designated Tree Preservation Order area. A search of the Barnsley Planning Portal has revealed no planning consent permitting these works. Cross-referencing this map with Figure 21 (2025 aerial imagery) suggests unauthorised clearance within the protected zone, most notably on the lower left-hand portion of the hillside.



Appendix 4: Incorrect Site Photography- Not representative of the proposed site

Figure 26: Google Earth mapping evidences a separation of approximately 520 feet between the point labelled “site photography” in the applicant’s submission and the genuine application site. The image confirms that the photograph provided by the applicant was taken at a pond located in a field south of the actual site, not on the site to which the application relates.



Appendix 5: Highway Concerns

Figure 27 :Google Earth imagery of Bank End Lane showing highway constraints, including restricted carriageway width. The presence of visibility mirrors at neighbouring driveways evidences existing safety measures required for egress, even where access widths are sufficient, demonstrating the limited sightlines and narrow character of the road.

