

## 2021/1075 & 1258 – Planning and Listed Building Consent Applications

Mrs Iris Wainwright

Erection of 1.8m high timber horizontal slat fence (Retrospective)

The Granary, 3 Fieldhead Manor, Elmhirst Lane, Dodworth Barnsley, S75 4LD

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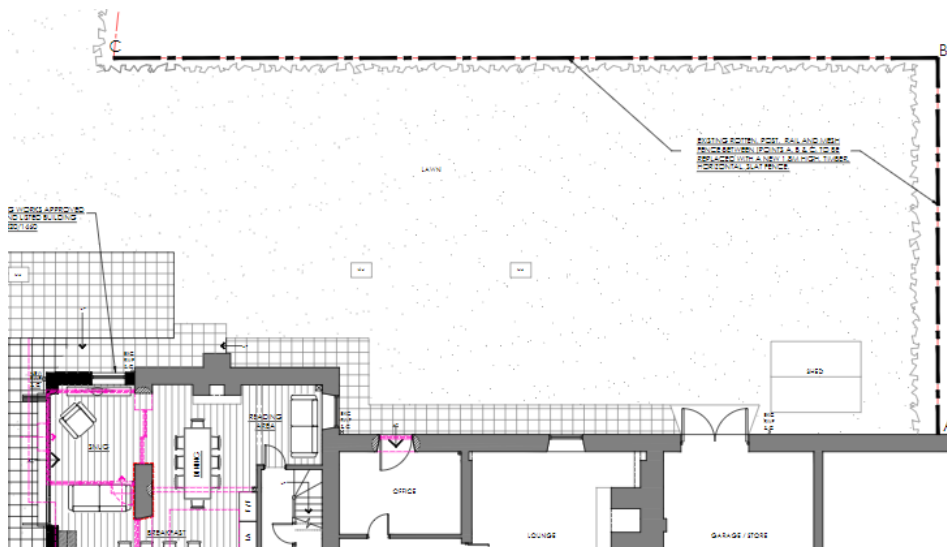
### Site Description

The application relates to the corner plot of a converted farmhouse complex, which has now been divided into several dwellings. The farmhouse in question is called Fieldhead Farmhouse, a grade II-listed building first listed in 1982. It lies at the north side of Elmhirst Lane in what used to be Field head farm, immediately adjacent to Silkstone golf club. The surrounding street scene is made up of other converted townhouses, cottages and barns which are all stone-built and listed. Access is gained to the largely secluded set of properties firstly by Elmhirst lane which runs parallel to the border of the gold course leading to a car park for the club house. Access to the properties themselves is then gained via this car park.



### Proposed Development

The applicant is seeking planning permission and listed building consent for the erection of a 1.8m wooden slatted fence on the northern and eastern boundary. The need for planning permission stems from the removal of permitted development rights under decision notices 2020/1455 and 2020/1460.



## Policy Context

### Local Plan Allocation – Green Belt

Planning decisions should be made in accordance with the current development plan policies unless material considerations indicate otherwise and the recently revised NPPF does not change the statutory status of the development plan as the starting point for decision making.

The new Local Plan was adopted at the full Council meeting held 3th 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 2000) and the Core Strategy (adopted 2011).

Local Plan Policy GD1 – General Development – states that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Local Plan Policy D1 – High Quality Design and Place Making supersedes Core Strategy Policy CSP 29 and sets out the overarching design principles for the borough. Policy D1 States that development is expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley

Local Plan Policy GB2 – Replacement, extension and alteration of existing buildings in the Green Belt states that the extension or alteration of a building are acceptable where the total size of the proposed and previous extensions does not exceed the size of the original building; and provided it will not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt.

Local Plan Policy HE1 – The Historic Environment states that development which affects the historic environment and Barnsley's heritage assets and their settings will be expected to protect or improve the character and/or appearance of Conservation Areas and Listed Buildings.

Local Plan Policy HE3 – Developments affecting Historic Buildings states that proposals involving additions or alterations to listed buildings or buildings of evident historic significance such as locally listed buildings (or their setting) should seek to conserve and where appropriate enhance that building's significance. In such circumstances proposals will be expected to:

- Respect historic precedents of scale, form, massing, architectural detail and the use of appropriate materials that contribute to the special interest of a building.
- Capitalise on opportunities to better reveal the significance of a building where elements exist that detract from its special interest.

Supplementary Planning Document (SPD) - House Extensions sets out the design principles that specifically apply to the consideration of planning applications for house extensions, roof alterations, outbuildings & other domestic alterations. The general principles are that proposals for should:

- I. Be of a scale and design which harmonises with the existing building
- II. Not adversely affect the amenity of neighbouring properties
- III. Maintain the character of the street scene and
- IV. Not interfere with highway safety.

SPD – House Extensions states that to combat the problems of loss of light, as well as loss of privacy and outlook, the size and projection of rear extensions need to be strictly controlled. Single storey extensions to the rear of semi-detached dwellings should not exceed 4m in projection, and the eaves should not exceed 2.5m where the extension would project beyond 3m.

The National Planning Policy Framework (NPPF) Section 16 – Conserving and Enhancing the Historic Environment, states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected; the level of detail should be proportionate to the assets' importance. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Substantial harm to or loss of a Grade II listed building should be exceptional.

Paragraph 197 goes on to state that, in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss

These policies are considered to reflect principles set out in the revised NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings.

## **Consultations**

Conservation Officer – Objection

## **Representations**

Notification letters were sent to surrounding properties and a site notice was erected at the entrance to the barn complex. No representations subsequently been received.

## **Assessment**

### Principle of Development

Extensions and alterations to a domestic property are acceptable in principle provided that they remain subsidiary to the host dwelling, are of a scale and design which is appropriate to the host property and are not detrimental to the amenity afforded to adjacent properties.

The property is located within the Green Belt where the alterations to existing buildings and their curtilage are acceptable provided it will not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt. Likewise, development affecting designated heritage assets, such as 3 Fieldhead Manor, is acceptable where such development conserves the significance of the asset and makes a positive contribution to its preservation.

As set out in detail below, the proposed development is not considered acceptable in heritage or visual amenity terms and the principle of development, by consequence, is not hereby provided.

### Visual Amenity/Impact on Heritage Assets

The conservation officer has provided the following comments in respect of the erected fencing:

*The previous or existing post and rail fence backed with wire is clearly in need of replacement. I say 'previous or existing' as I am a little unsure if the works have been carried out which would make this application retrospective. However, the proposed boundary treatment is significantly higher than the existing, and substantially more domestic and modern in nature and design. I*

*would also note the fence will create a substantial visual barrier to the curtilage and the setting. In contrast to this, the original boundary treatment was a permeable (physically and visually) post and rail ranch type fence. This fence is / was recessive in appearance with a very low degree of visual intrusion. Given the curtilage we are dealing with is that of a listed building, boundary treatments can have a substantial impact on the heritage significance of such an asset. In reading the D&A / Heritage Statement I note this refers to the wrong paragraphs of the NPPF (refers to Feb 2019 version). Strangely, I also note the D&A references the replacement UDP. However, I assume this is meant to relate to the adopted Local Plan (Jan 2019). Even so, I do not agree that the fence will have a neutral impact. This building is strongly vernacular in character and appearance and as a result I would suggest this proposal does not enhance or preserve the setting. Consequently, I suggest the proposal is harmful and not in accordance with S.66 of the LB Act, paras 199 and 200 of the Framework and is contrary to HE1. I am also aware we have an outstanding enforcement enquiry for this property for unapproved matters.*

In light of the above consultation response it is clear that the fencing, which has been erected without planning permission or listed building consent, is contrary to the prevailing character and aesthetic vernacular of the listed building and consequently harms its setting. The design of the boundary fencing is modern in appearance and strongly at odds with the clearly historic appearance of the dwellinghouse/barn it is connected to. The Local Planning Authority appreciate that the previous boundary treatment was dilapidated but no consultation was undertaken with the LPA prior to installation of the new 1.8m horizontal slat fence and the applicant, given the recent planning decisions 2020/1455 and 1460, was aware of the loss of the permitted development rights on their property. By consequence the fencing is considered contrary to LP Policies HE1 – The Historic Environment and HE3 – Development Affecting Historic Buildings as well as LP Policies D1 – High Quality Design and Placemaking and GB2 – Replacement, extension and alteration of existing buildings in the Green Belt which accord with the requirements of national policy as set out within the NPPF.

#### Residential Amenity

Overall it is considered that the proposed fence, given its reasonable height of 1.8m as well as its position upon the party boundary, will not cause a significantly detrimental increase in levels of overshadowing or overbearance upon the neighbour at 2 Fieldhead Manor. The proposal is consequently determined to be acceptable in residential amenity terms consistent with the requirements of LP Policy GD1 – General Development.

#### Conclusion

The fencing that has been erected across the northern and eastern boundaries of the dwellinghouse is modern and does not respect the historic pastoral setting of the converted barn and consequently harms the listed building's value as a heritage asset. As such, the works are considered refused planning permission and listed building consent and enforcement action shall be taken by the Local Planning Authority which will seek to replace the boundary treatment with a more sympathetic design.

#### **Recommendation**

##### **Refuse**

In the opinion of the Local Planning Authority the boundary fence erodes the historic and aesthetic value of the listed building (3 Fieldhead Manor) through its visual intrusion within the setting of the heritage asset's immediate curtilage contrary to LP Policies HE1 – The Historic Environment and HE3 – Development Affecting Historic Buildings as well as LP Policies D1 – High Quality Design and Placemaking and GB2 – Replacement, extension and alteration of existing buildings in the Green Belt.