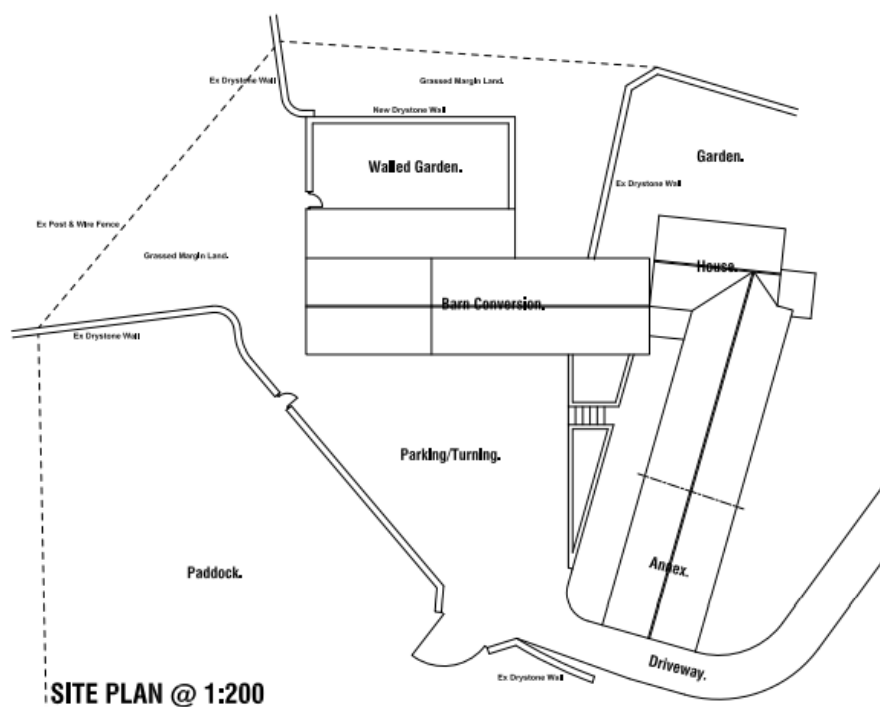


Applicant: Mr John Foster

Removal of conditions 7 and 8 of application 2012/0605 (Conversion of barn to form extension to existing dwelling. Conversion of part of dwelling into holiday let and installation of 2 windows) to allow annexe to be used by tenants on assured shorthold contracts with a minimum period of 6 months

Dick Royd Farm, Brook Hill Lane, Carlecotes, Barnsley, S36 4TG



Site Plan from Application 2020/1147

Site Description

Dick Royd Farm is a former farmstead located just beyond the settlement of Carlecotes in Barnsley. The applicant has declared that the agricultural land associated with the farmstead has been previously sold and consequently, it has not been a working farm for a considerable period of time. The principal dwelling within the farmstead is an is a Grade II listed former farmhouse, but this application refers to a section of converted barn within the curtilage of the farmstead.

Permission was originally granted in 2010 for conversion of the redundant barn into C3 accommodation. In 2012, further permission was granted, subject to conditions, for part conversion of the barn into C3 accommodation and a self-contained unit of holiday let accommodation, with the installation of two new windows. An accompanying application was made for listed building consent and was granted with conditions. The small unit of holiday let accommodation is now officially known as the 'Annexe'.

Planning History

88/0760 – Conversion of barn to dwelling – refused due to the impact of the conversion on the Listed Farmhouse, the impact of the additional vehicular traffic on pedestrians and at the junction with Brook Hill Lane.

2010/0606 – Conversion of barn to dwelling – Approved with conditions

2010/1246 – Conversion of barn to dwelling – Approved with conditions

2012/0605 – Conversion of barn to form extension to existing dwelling. Conversion of part of dwelling into holiday let and installation of 2 windows. – Approved with conditions

2012/0606 – Conversion of barn to form extension to existing dwelling. Conversion of part of dwelling into holiday let and installation of 2 windows (LBC) – Approved with conditions

2015/0339 – Replacement of single storey extension to north elevation (Listed Building Consent) – Approved with conditions

2019/1255 – Replace single glazed windows panes with double glazed units (Listed Building Consent) – Approved with conditions

2020/1147 – Erection of single storey end extension to dwelling Approve with Conditions

2020/1148 – Erection of single storey end extension to dwelling (Listed Building Consent) – Approve with Conditions

Proposed Development

The applicant is seeking approval to remove conditions 7 (The holiday let unit shall only be occupied as a holiday let and shall not be occupied by any individual family or group for more than 4 weeks in any one period of 12 months) and 8 (The holiday let hereby approved shall be used for holiday purposes only and not as a permanent residence.) from application reference 2012/0605.

Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Local Plan

In reference to this application, the following policies are relevant:

SD1: Presumption in favour of Sustainable Development – When considering development proposals, The Local Planning Authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. We will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

GD1: General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

D1: High Quality Design and Place Making – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

E5: Promoting Tourism and encouraging Cultural Provision – We will promote tourism and encourage the growth and development of cultural provision by: Encouraging the provision of a wide range of venues and opportunities for cultural activity; Safeguarding and sustaining existing cultural provision; Promoting the existing cultural provision and tourism offer.

E6: Rural Economy

We will encourage a viable rural economy by allowing development in rural areas if it: Supports the sustainable diversification and development of the rural economy; Results in the growth of existing businesses; Is related to tourism or recreation; or improves the range and quality of local services in existing settlements. Development in rural areas will be expected to: Be of a scale proportionate to the size and role of the settlement; Be directly related, where appropriate, to the needs of the settlement; Not have a harmful impact on the countryside, biodiversity, Green Belt, landscape or local character of the area; Consider the re-use of existing rural buildings in the first instance; and Protect the best quality agricultural land, areas of lower quality agricultural land should be used for development in preference to the best and most versatile land.

GB1: Protection of Green Belt The general extent of the Green Belt is set out on the Key Diagram. The detailed boundaries are defined on the Policies Map. Green Belt will be protected from inappropriate development in accordance with national planning policy

GB2: Replacement, extension and alteration of existing buildings in the Green Belt Provided it will not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt, we will allow the following development in the Green Belt: Replacement buildings where the new building is in the same use and is not materially larger than that which it replaces. Extension or alteration of a building where the total size of the proposed and previous extensions does not exceed the size of the original building. Dividing an existing house to form smaller units of accommodation.

HE1: The Historic Environment We will positively encourage developments which will help in the management, conservation, understanding and enjoyment of Barnsley's historic environment, especially for those assets which are at risk

Policy HE2 Heritage Statements and general application procedures Proposals that are likely to affect known heritage assets or sites where it comes to light there is potential for the discovery of unrecorded heritage assets will be expected to include a description of the heritage significance of the site and its setting.

HE3: Developments affecting Historic Buildings 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

T4: New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Poll1: Pollution Control and Protection – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust,

vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people. Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

NPPE

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

Other material considerations

South Yorkshire Residential Design Guide - 2011

Consultations

Pollution Control – No comments as they believe the conditions do not relate to pollution control.

Highways DC – Stated that the removal of conditions “would be unlikely to result in a significant difference in the number of vehicular movements generated by the site”. Additionally, they confirmed that paragraph 111 of the NPPF only allows refusal if there would be an unacceptable impact on highway safety or residual cumulative impact on the road network was severe. In their opinion this would not be the case and therefore the removal of conditions would be acceptable from a Highways perspective.

Conservation Officer: No comment but confirmed Listed Building consent would be required.

Representations

Site Notice & Press Notice: There were no comments or complaints received about this application from either of the public notices.

Assessment

Principle of Development

The application seeks to remove conditions 7 (The holiday let unit shall only be occupied as a holiday let and shall not be occupied by any individual family or group for more than 4 weeks in any one period of 12 months) and 8 (The holiday let hereby approved shall be used for holiday purposes only and not as a permanent residence.) from application ref. 2012/0605. Both conditions of this application relate to use of the existing development and its impact in relation to relevant policies, local amenity and the local economy rather than in relation to physical development of the site which has previously been granted consent in 2012.

Design, Effect on Green Belt & Historical Assets

Whilst the effect of the development must be considered in relation to local plan policies D1, GB1, GB2, HE1, HE2 & HE3, along with the NPPF, with lack of physical development, there would be minimal concern in relation to the design or proposed use, compared to the current use. With the unit of accommodation

already established as a unit of short-term residential accommodation, the proposed change would simply allow for an extended period of occupation, starting at a minimum of 6 months. In specific relation to policies, the design of the existing unit of accommodation and larger structures would remain unchanged, so would have no impact in relation to D1. Regarding policies GB1 and GB2, the change of use could be considered sustainable and appropriate development within the Green Belt. Similarly, the removal of conditions would be compatible with the re-use of existing buildings within the Green Belt, as detailed in paragraph 150 of the NPPF. Although separate Listed Building Consent is required, with no structural changes and only a technical change of use from short to long term residential use, the removal of conditions would have no material impact in relation to policies HE1, HE2 or HE3.

Local Amenity

Due to the remote location of the farmstead, there would be minimal impact upon the amenity of neighboring dwellings. Within the broader local area, potentially there would be less of an impact from longer term tenants, who may choose to integrate with the local community, rather than multiple short-term tourists visiting the area.

Tourism and Rural (Local) Economy

The annexe currently offers a small unit of holiday let accommodation which is liable for business rates under 'Category 131 Holiday Homes (Self-Catering)'. There are currently (January 2023) 74 category 131 listings in Barnsley, of these 13 have been removed. Each listing can be for either a single or multiple units of accommodation, located within one or more individual dwellings. Of the 61 active listings, 16 are in postcode area S36 including one listing of three units in Windle Edge S36 4TF and a single dwelling in Carlecotes S36 4TD, both under 2 miles of Dick Royd Farm. In addition to alternative local holiday let provision, as the Annexe is a single, small unit of holiday accommodation, which is serviced by the elderly occupants of its associated principal dwelling. it is quite feasible that its removal from the Barnsley's holiday let sector would not have any noticeable impact on Policy's E5 desire for "Tourist related development in rural areas will be protected and encouraged to support and diversify the local economy" as in addition to adequate local provision of holiday let accommodation there appears to be no employment beyond the elderly couple who currently manage the holiday let.

As there is no development being undertaken, just a change of use, there should be no 'harmful impact' in relation to issues raised in Policy E6. Furthermore, I believe the proposal would meet the needs of Policy E6 and the local economy by providing a new unit of residential accommodation to the rental market of the area.

Highways Safety

No impact on highways safety.

Pollution Control

Not relevant, so no impact.

Conservation

Listed building consent required and applicant advised of this. However, due to no external changes it is not considered to impact on the historical significance of the site

Conclusion

Having fully reviewed the applicant's request to remove conditions 7 (The holiday let unit shall only be occupied as a holiday let and shall not be occupied by any individual family or group for more than 4 weeks in any one period of 12 months) and 8 (The holiday let hereby approved shall be used for holiday purposes only and not as a permanent residence.) from application reference 2012/0605, and assessing the request against the local plan, NPPF and consultee responses. I have found that the request would be considered acceptable.

The primary reasons for this decision were due to the lack of physical development. Any physical, even minor alteration to the structure would have had the potential to be inappropriate development within or cause harm to the Green Belt or historical asset of Dick Royd Farm. Additionally, there was no concerns raised by consultees and no public comments or concerns were received. Secondary reasons for this decision were in relation to the minimal impact the removal of conditions would have within the local area. The local area is well served by holiday let accommodation, whilst a new unit of rental accommodation may be of potential benefit to the local community. In the same way tourists can only be assumed to utilise local facilities and support the local economy, it could equally be assumed that new, longer-term residents would act similarly.

Recommendation

Approve with Conditions