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PLANNING SUPPORT STATEMENT

DETAILED APPLICATION FOR 1 NO DWELLING FOLLOWING DEMOLITION OF EXISTING STABLES, EQUESTRIAN STORAGE BUILDING AND RESIDENTIAL STATIC CARAVAN (VARIATION TO APPROVAL 2019/1452)

LAND AT MOOR LANE, BARNSLEY

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CONTENTS

1.0 INTRODUCTION

2.0 THE SITE & THE PROPOSAL

3.0 PLANNING POLICY

- 3.1 Central Government Policy Advice – The National Planning Policy Framework
- 3.2 Planning Practice Guidance
  - 3.2.1 Green Belt
  - 3.2.2 Design
- 3.3 Local Planning Policy
  - 3.3.1 LDF Core Document
  - 3.3.2 Unitary Development Plan Saved Policies

4.0 THE ISSUES

- 4.1 The Development Plan
- 4.2 Other Material Considerations
  - 4.2.1 Brownfield Development
  - 4.2.2 The Green Belt
  - 4.2.3 Visual Impact
  - 4.2.4 Bats
  - 4.2.5 Highways

5.0 CONCLUSION

1.0 INTRODUCTION

The proposal which forms the subject of this application for detailed planning permission for 1no dwelling relates to a site located on Moor Lane, Barnsley which is currently used for equestrian and residential purposes (mobile home). This proposal seeks detailed permission for the construction of 1No dwelling following the demolition of the existing stables, storage buildings and removal of the residential unit. The proposal is a variation to the previous approved scheme for a dwelling which was approved by the Council on the 14th February 2020 (application No 2019/1452).

The following supporting documents/information are submitted with the application:-

(i) Full plans and details – Stephen A Welcer;
(ii) Planning Support Statement – Townsend Planning Consultants;
(iii) Bat Report (as previously submitted) - Middleton Bell Ecological Consultancy; and
(iv) Highways Report (as previously submitted) – Paragon Highways

It is considered that this statement, together with the accompanying plans and documents, clearly demonstrate to the Council that the proposal accords with national and local planning policy and, when judged against this and all material considerations, it is clearly the case that notwithstanding the site's green belt status planning permission should be granted.

It will be noted that in the context of the adopted NPPF, as the site forms a brownfield site within the green belt, the proposal does not constitute inappropriate development. As such, no "very special circumstances" are necessary to justify the grant of planning permission in the green belt. Indeed, the principle of the development of 1No dwelling on this green belt site to replace the existing stables, buildings and static caravan is established by the extant permission.

This statement now proceeds to give details of the background to the site and its current uses. The details of the proposal are then set out. Relevant planning policy and central government advice in the form of the National Planning Policy Framework is then discussed. The issues that the proposal raises are also examined and finally the conclusion is reached that planning permission should be granted for the proposal to proceed. Nevertheless, the applicant remains willing to discuss all aspects of this proposal with the Council.

2.0 THE SITE AND THE PROPOSAL

The subject site forms a longstanding equestrian site, together with a longstanding residential unit (static caravan).

In terms of the equestrian use, this dates back 30 years. Since 2005 the site has operated not only for the applicant's own horses but also for DIY livery for 6 horses. Since that time there have been a total of 8 different parties utilising the site.

The site incorporates a number of buildings including:

(i) 2 blocks of 3No stables;
(ii) 2 equestrian storage buildings; and
(iii) 1 residential static caravan on which full residential rates have been paid to the Council since 1998 and continue to be paid today.

The subject proposal seeks to develop 1No dwelling following demolition of the stables, storage building and removal of the residential static at the site as shown on the submitted plans. The proposal has been sensitively designed and is appropriate in scale form and layout for this Green Belt location.

The site in general terms is located close to other sporadic development. The dominant feature around the site is open fields.

It is noted that there is no overall architectural genre in this general urban fringe location. Where sporadic development occurs this is an eclectic mix of house types and forms.

The current permission provides a simple rectangular building which is perhaps unremarkable in form. Indeed, the Council's officer did request amendments to the scheme identifying that the front elevation was relatively plain and stated that

amendments were needed to add interest. This proposal seeks to provide further interest.

It would be noted that the size of the dwelling proposed remains significantly less than the size of the buildings to be removed:

The existing buildings and static caravan	516 cubic metres
The extant permission	316 cubic metres
The proposed building	410 cubic metres

It is noted that notwithstanding that the building is larger in volume than the extant permission, owing to the raising of the roof height by 1.8 metres to allow the incorporation of rooms in the roof space. It is still significantly smaller than the buildings, structures and caravan to be replaced.

It is noted that during discussions during the processing of the previous application that it was stated by the Council that the static caravan should not be included in any calculations as it was not a “building”. It is considered, however, that in the context of reaching a conclusion regarding impact on “openness”, this longstanding feature can reasonably be included in that consideration as it clearly impacts on openness irrespective of whether in planning terms it constitutes a “building”.

It is considered that in the context of the Development Plan and all material considerations, the proposal is acceptable. Nevertheless, the applicant remains willing to discuss all aspects of the proposal with the Council, including the design detailing.

3.0 PLANNING POLICY

By virtue of Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the planning authority must determine the planning application in accordance with the statutory development plan (insofar as it is material to the application), unless material considerations indicate otherwise. The NPPF also advises of a presumption in favour of development which accords with the development plan. The importance of the statutory development plan in the decision making process necessitates an examination of the relationship between the policies and proposals of the plan and government guidance.

3.1 Central Government Policy Advice – The National Planning Policy Framework

The following are comments on the advice in the Framework which is considered to be relevant to the consideration of the proposal:

(i) Para 2 of the 'Introduction' sets out that:
"Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise."

(ii) Section 2 sets out the aims of achieving sustainable development.

(iii) At Para 38 with regard to decision making, it states:

"Local Planning Authorities should approach decisions on proposed development in a positive and creative way… and work proactively with applicants to secure developments that will improve economic, social and environmental conditions in the area. Decision makers at every level should seek to approve applications for sustainable development where possible."

(iv) Section 12 provides advice on ***"Achieving Well-Designed Places".***

At Para 127 it states that:

"Decisions should ensure that developments:

…(b) are visually attractive as a result of good architecture, layout and effective landscaping.

(c) are sympathetic to local character and history including the surrounding built environment and landscape setting…"

Para 130 states:

"…where the design of a development accords with clear expectations in plan policies, design should not be used by the decision maker as a valid reason to object to development."

The proposal conforms with the above advice.

It is clear that this proposal will not have a greater impact on the openness of the Green Belt than the existing development it seeks to replace (notwithstanding that the proposal is larger in volume than the extant permission).

3.2 National Planning Policy Guidance

3.2.1 Green Belt

National Planning Policy Guidance 'Green Belt' published on the 22nd July 2019 has been taken into account. The advice sets out "***what factors can be taken into account when considering the potential impacts of development on the***

openness of the green belt." The advice identifies that this ***"requires a judgement based on the circumstances of the case".*** It also goes on to set out that the Courts have identified a number of matters which may be taken into account, which include:

- ***"• Openness is capable of having both spatial and visual aspects – in other words the visual impact of the proposal may be relevant as could its volume;***
- ***the duration of the development and its remediably taking into account the provisions to return the land to its original state or to an equivalent or improved state of openness; and***
- ***A degree of activity likely to be generated such as traffic generation."***

In the context of the above, in this instance:

(i) In spatial and visual terms the level of building proposed on site is significantly less in terms of volume that the existing buildings and structures on site and will be an improvement visually.

(ii) The proposal will significantly reduce the developed part of the site by removing buildings and ancillary hardstanding around the buildings and retain the development onto a much smaller area of land. The land form which the buildings will be removed will be restored to open planted land which will improve openness.

(iii) In terms of the generation of activity, as demonstrated in the submission the proposal will result in much decreased activity than the lawful use, which again will be of benefit to openness.

It is clear that the revised proposals conform with this advice.

3.2.2 Design

Planning Practice Guidance provides further advice in respect of design issues. With regard to how good design can guide planning and development proposals, it states:-

"Local Planning Authorities should give great weight to … innovative designs which to help raise the standard of design more generally in the area."

With regard to character, it states:-

"Local building forms and details contribute to the distinctive qualities of a place. These can be successfully interpreted in new development without necessarily restricting the scope of the designer."

In terms of scale, it states:-

"This relates both to the overall size and mass of individual buildings and spaces in relation to their surroundings, and to the scale of their parts."

It goes on to state:-

"The size of individual buildings and their elements should be carefully considered as their design will affect the overshadowing and overlooking of others, local character, skylines, vista and views. The scale of building elements should be both attractive and functional when viewed and used from neighbouring streets gardens and parks."

It is considered that the scheme as proposed fully conforms with advice set out in Planning Practice Guidance – Design.

3.3 Local Planning Policy

The Development Plan for Barnsley MBC consists of the Core Strategy (September 2011) and the Saved Unitary Development Plan Policies. It should be noted that these documents predate the current National planning guidance (the NPPF). It should be noted that on the UDP proposals map the site falls wholly within the Green Belt.

3.3.1 LDF Core Strategy

(a) CSP 29 Design

The policy sets out that development should:-

- "***CONTRIBUTE TO PLACE MAKING AND BE OF A HIGH QUALITY, THAT CONTRIBUTES TO A HEALTHY, SAFE AND SUSTAINABLE ENVIRONMENT.***
- ***HELP TO TRANSFORM THE CHARACTER OF PHYSICAL ENVIRONMENTS THAT HAVE BECOME RUN DOWN AND ARE LACKING IN DISTINCTIVENESS***
- ***ENABLE ALL PEOPLE TO GAIN ACCESS SAFELY AND CONVENIENTLY, PROVIDING, IN PARTICULAR, FOR THE NEEDS OF FAMILIES AND CHILDREN, AND OF DISABLED PEOPLE AND OTHER PEOPLE***
- ***CONTRIBUTE TOWARDS CREATING ATTRACTIVE, SUSTAINABLE AND SUCCESSFUL NEIGHBOURHOODS***
- ***ACHIEVE A BUILDING FOR LIFE ASSESSMENT RATING OF 'GOOD' OR EQUIVALENT AS A MINIMUM, IN DEVELOPMENTS OF 10 OR MORE DWELLINGS".***

(b) CSP 34 Protection of Green Belt

The site falls within the Green Belt as shown on the proposals map.

3.3.2 Unitary Development Plan Saved Policies

The saved UDP policies relevant to the proposals are as follows:

(a) GS6 and DT5

The site is located wholly within the Green Belt as shown on the proposals map.

It is considered that there is no conflict with development plan policy.

4.0 THE ISSUES

4.1 The Development Plan

The form of development proposed (i.e. the redevelopment of a brownfield site in the green belt) and national policy (the NPPF) towards such development has changed since the Development Plan was adopted.

As set out in the text of this statement, by reference to the NPPF and policy to the redevelopment of brownfield sites in the green belt, the development does not constitute inappropriate development subject to a test "openness" and the impact on the purposes of including land within the green belt. It is clear that this proposal will not give rise to issues of harm in terms of the openness of the green belt and not harm the purposes of green belt.

It has been demonstrated that the proposal conforms with national guidelines and, as such, it can be argued that there is no conflict with the Development Plan.

4.2 Other Material Considerations

4.2.1 Brownfield Development

The subject site constitutes a number of longstanding equestrian buildings and a residential static caravan.

The NPPF defines previously developed land as:

"Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes land that is or has been occupied by agricultural

or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purpose where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structures or fixed surface infrastructure have blended into the landscape in the process of time."

The whole of the application site, therefore, falls within the definition of previously developed land as it has been and continues to be used as stables, storage and curtilage land for equestrian use and a residential unit.

It is acknowledged that this is subject to a test of 'openness'. It will be noted that the proposed building is significantly smaller than the built form on site. The proposal residential curtilage is also smaller than the overall curtilage of the existing use.

4.2.2 The Green Belt

By reference to the planning history, the Council clearly recognise that this site constitutes brownfield development and in policy terms it falls to be judged in the context of para 145(g) of the NPPF.

It is clear that this proposal wholly conforms with the tests set out in the NPPF. The proposal constitutes the redevelopment of a previously developed site (brownfield) and this is in a manner which would not have a greater impact on the openness of the green belt than the existing development. The small increase in the size of the proposal over the extant permission does not change that conclusion.

By reference to the NPPF, clearly planning permission should be granted.

It is acknowledged that two of the structures on site are constructed in timber. However, owing to the longevity of the buildings, they would be classed as permanent buildings in planning terms. In respect of the static, whilst this would not be classed as a building the land on which it stands is brownfield. The structure is longstanding, lawful and clearly impacts on openness.

This proposal is to the benefit of openness in the context of both the built form of the site and curtilage.

4.2.3 Visual Impact

In green belt terms, the proposal does not constitute inappropriate development. Following demolition of the buildings, this proposal for a small scale dwelling will not harmfully impact on the openness, visual character and amenity of the green belt in this location. The proposed dwelling has been sensitively designed and will be smaller than the existing built form of development on the site.

4.2.4 Bats

An ecological report is submitted with this application.

4.2.5 Highways

A detailed highway report is provided which demonstrates betterment in highway terms. The proposed use will reduce traffic movements/generation by the historic lawful use of the site.

5.0 CONCLUSION

This application seeks the development of 1No residential dwelling on this site following demolition of stables and storage buildings, together with the removal of the static caravan. This is a variation to the previously approved extant scheme. The use of the site constitutes brownfield development. By reference to the NPPF the proposal, therefore, does not constitute inappropriate development and as such no 'very special circumstances' need to be demonstrated to justify the development.

It is acknowledged that this proposal seeks a larger proposal than the extant approval. However, it remains significantly smaller than the buildings and static caravan to be removed and as such still constitutes benefit to openness. The proposal passes the test of openness in that the scale of the buildings and curtilage to be removed is greater than the scale of the buildings and curtilage to be built in replacement. The change in design features is to add interest to the design.

It is clear that the basis on which this application must be judged is the NPPF and this proposal wholly conforms to that.

Should the Council require any further information or wish to discuss the matter in more detail, please do not hesitate to contact me.