The Planning Inspectorate

Appeal Decision

Site visit made on 2 July 2019

by Anne Jordan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 July 2019

Appeal Ref: APP/R4408/W/19/3225920
Hangman Stone Bar Farm, Moor Lane, Birdwell, Barnsley, S70 5TY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Woodruff against the decision of Barnsley Metropolitan Borough Council.
- The application ref 2018/0071, dated 16 January 2018, was refused by notice dated 7 February 2019.
- The development proposed is described as conversion of redundant farm buildings to 4No dwellings and enabling development of 3No new dwellings.

Decision

1. The appeal is dismissed.

Procedural Matters

2. Hangman Stone Bar Farm comprises a farmhouse and attached barns with adjacent open land. The site lies with the Green Belt.

3. The farmhouse and some of the adjoining barns are Grade II listed. The application was made for both listed building consent and planning permission for the conversion of the disused farm buildings adjoining the farm house to 4 dwellings and the erection of a further 3 dwellings on land to the rear. However, the appeal relates only to planning permission, with no associated listed building appeal. I have therefore dealt solely with the appeal for planning permission.

4. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the decision maker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Main Issues

5. Accordingly, the main issues for the appeal are :

- Whether the proposal is inappropriate development for the purposes of the *National Planning Policy Framework* (the Framework) and development plan policy;

- The effect of the proposal on the openness of the Green Belt and the character of the area, and whether the reuse of the building for residential use is acceptable;
- The effect of the proposals on the special interest of the listed building known as Stone Bar Farm;
- The effect of the proposal on protected species;
- If the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Inappropriate Development

6. The Framework outlines in paragraph 145 the types of new buildings which are considered to be not inappropriate development within the Green Belt. Although the new dwellings would replace existing outbuildings of various construction, these are not in the same use as the proposed dwellings. The proposal does not comprise infilling, as it sits adjacent to an open field and even if the site were to be considered to be previously developed land, the scale of the proposed new dwellings would be substantially larger than the modest outbuildings that they seek to replace. They would therefore have a greater impact on openness and accordingly would fail to comply with any of the stated exceptions in paragraph 145. The proposal must therefore be considered to be inappropriate development.

7. The Framework advises that inappropriate development is, by definition, harmful to the Green Belt and should not be permitted except in very special circumstances. Policy GB2 of the *Barnsley Local Plan* (Local Plan) reflects national policy in this regard. I attach substantial weight to the harm arising due to the inappropriate nature of the development.

Impact on Openness and the Character of the Green Belt

8. The existing buildings are of relatively modest height and appear subservient to the larger range of barns attached to the farmhouse. In contrast the proposal would comprise three two-storey detached dwellings, and a block of detached garages. Although the difference in floor area between the existing structures for removal and the new dwellings is not extensive, the fact that the dwellings would be two storey with pitched roofs would result in a significantly greater amount of built form on site than currently exists.

9. The proposal also includes a small addition to the rear of the existing barns. Notwithstanding the impact this element may have on the significance of the heritage asset, it is relatively modest in size and in the context of the wider site would on its own have only some limited impact on openness. Nevertheless, the totality of development proposed would be substantially greater than the buildings to be removed and so, as a result, the proposal would lead to a reduction in openness.

10. The site of the proposed dwellings appears to have formed part of the extended yard to the farm. It lies on the edge of Birdwell, adjacent to open

fields, but also close to the residential dwellings along Moor Lane. The close proximity of the M1 and the A61 also have an urbanising effect on the immediate surroundings of the site. I accept that in views into the site, from the south and west, the dwellings would appear relatively well related to the wider settlement. Nevertheless, the new dwellings, along with the creation of residential gardens for both these plots and the new units within the conversion would alter the character of the farmyard from a space that is largely undeveloped to one which is domestic in character. This would further erode what remains of the rural character of this part of the Green Belt and consequently would lead to further Green Belt harm, which weighs against the proposal.

11. Whilst the removal of existing structures on site would lead to some visual improvements due to the dilapidated nature of some of the remaining buildings, this improvement could occur without the proposed development and does not weigh in favour of the proposal.

The Principle of Re-use in the Green Belt

12. Policy GB3 of the Local Plan supports the reuse of existing buildings in the Green Belt provided the site is a suitable place for the proposed use. Where residential uses are proposed, the policy requires that there be no strong economic reasons why the development is appropriate, and that the residential use represents the most appropriate way of maintaining the character of the building.

13. In this case it is clear that the ownership of the site does not extend to include a viable agricultural holding and so, taking into account the access arrangements to the site, it seems to me unlikely that the reuse of the buildings for agriculture would be tenable.

14. Furthermore, the listed status of the building, and the need to retain as much of the historic fabric as possible will impose restrictions on how the buildings can be adapted and so will restrict the range of potential uses. Given the configuration of the space, a residential or office use would appear most feasible. I find the appellant's submission sufficiently convincing to demonstrate that there is unlikely to be a buoyant market for office use at this time. It therefore seems to me that a sympathetic residential conversion would be justified in this case and I find no conflict with the aims of policy GB3. This matter does not therefore weigh against the proposal.

The Effects of the Proposal on the Listed Building

15. Stone Bar Farm is a Grade II Listed building. Two of the attached barns which are proposed for conversion are also listed. A third barn, which completes the range to the south is not itself listed and appears to be a 20th Century addition. The accompanying heritage assessment confirms that the buildings are of varying age and significance, dating from the 1700's to the 1930's. The significance of the asset is derived in part from the quality and antiquity of parts of its construction and from the contribution it makes as a surviving example of a vernacular building of its type. The manner in which the range has been extended and adapted over time also provides some historic interest.

16. The Council's Conservation Officer has indicated that a reuse of the buildings for residential use would not be unacceptable in principle, but has concerns in relation to some of the alterations proposed. These include a number of new openings to facilitate the internal layout.

17. The Barn identified as building C in the heritage assessment is thought to date from 1700-1750 and predates the farmhouse. The creation of three bedrooms at first floor level would involve the insertion of a small window within the end elevation along with a door at ground floor level to serve the kitchen. The blank gable end is an attractive feature of this building and the insertion of the upstairs window would appear at odds with its agricultural form and mar the appearance of this feature. The window appears to have been included simply to facilitate an extra bedroom in the floorplan and is not accompanied with any convincing justification as to why its inclusion is necessary.

18. The building known as the earlier Cow House, which is proposed for conversion to unit 3, is estimated as dating from 1800. It already has a relatively open inner facing elevation with 2 first floor windows. The conversion would involve the closing up of a window at first floor level, and the insertion of 2 new windows to serve separate bedrooms. A number of internal doorways would be closed to subdivide the floorplan and a large patio door would also be inserted into the gable end to serve a sitting room at ground floor. Together with the insertion of rooflights on the lower outer roofslope, the totality of alterations to the building's external appearance would erode much of its original character.

19. The barn known as the later Cow Shed or Cowhouse appears to date from the 1930's and is not itself listed. To facilitate the conversion a small single storey addition is proposed, along with a new window, a new door and conservation rooflights in the rear elevation. I accept that these changes do not impact upon the character of this part of the building, which has a cellular form and regular openings. Nevertheless, I have no convincing justification that the extent of other alterations proposed would be necessary to facilitate conversion and so cannot accept that these changes are justified.

20. I noted on site that some other alterations had already taken place on site. The Council and appellant are also in dispute as to whether some works that have already taken place to the barns are authorised and the re-roofing of large sections of the building in concrete roof tiles is shown on the plans as "existing". When viewed alongside the sections of traditional stone walling the material appears harsh and out of place. As I haven't been provided with evidence as to the lawfulness of the works, I have been unable to draw a conclusion either way as to whether it forms part of the proposal before me.

21. Nevertheless, even if the works were already authorised, my concerns in relation to the number of additional openings proposed in the building are sufficient in their own right to lead me to the conclusion that the proposal would lead to an unacceptable loss of historic fabric. Whilst I share the view of the Council, that the conversion of the building could potentially be undertaken in a manner which would not harm its significance, the scheme

before me would nonetheless fail to preserve the significance of the Listed Building.

22. The Council have also identified that works to the attached Stone Bar Farmhouse may have occurred without the benefit of listed building consent. This building does not form part of the proposal before me and so this matter does not weigh in my considerations.

23. The land to the rear forms part of the setting for the listed barns and provides space in which the building can be viewed. The original function of the space as part of the agricultural holding is also evident and this contributes to the character of the buildings as agricultural barns and provides a link to the buildings historic use. I have considered whether, with the conversion of these structures, the open setting of the buildings would still contribute to their significance as heritage assets. I am conscious that range to the south is not itself listed and already obscures views of the listed building. However, the loss of this space and its replacement with suburban housing would nonetheless fundamentally change the character of this space and as such lead to some erosion of the rural setting of the asset. This would lead to some further limited loss of significance.

24. The harm identified would amount to "less than substantial harm" which the Framework advises must be weighed against the public benefits of the scheme. I note that the proposal would bring the farm building back into use and that uses other than residential are unlikely to viable or practical. I also note that the scheme would provide 7 new dwellings in a sustainable location. Although I have not been advised that there is an undersupply of housing in the Borough, given the encouragement in the Framework to significantly boost the supply of housing I give this matter considerable weight.

25. However, the sympathetic reuse of the building could potentially be achieved with an alternative scheme. As such, the benefit to housing supply would not be sufficient to outweigh the harm the proposal before me would cause to the listed building and its setting and to its significance as a heritage asset. I therefore conclude the proposal would also fail to comply with the national policy outlined in the Framework and with policies HE1 and HE3 of the Local Plan which are consistant with it. The Framework is clear that I should attribute substantial weight to this harm.

The Impact on Protected Species

26. Circular 06/051 advises that the extent to which protected species may be affected by the proposed development should be established before planning permission is granted. The Council confirm that the ecological survey is up to date but are not satisfied that the proposed mitigation is adequate. Having regard to the submitted survey I concur that the measures proposed, which would comprise the provision of bat boxes, would not provide adequate mitigation to ameliorate the impact of the proposal on protected species.

27. Nevertheless, I take account of the fact that the Council's Biodiversity Officer is satisfied that measures could be employed to mitigate the effects of the

[1] Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System.

proposal on protected species, and that these could be implemented through the imposition of conditions. I am therefore satisfied that subject to such conditions, the proposal would not be contrary to Policy BIO1 of the Adopted Barnsley Local Plan which seeks to ensure that new development conserves and enhances the biodiversity of the Borough. As the measures outlined are aimed at mitigating the effects of the development rather than providing significant enhancements, I consider the effects of the proposal on biodiversity to be a neutral factor in the planning balance.

The Planning Balance

28. The proposal would give rise to harm to the significance of the Grade II listed building both through loss of fabric and harm to its setting, which would not be outweighed by the public benefits of the scheme. I have been provided with no cogent evidence that the new dwellings proposed are necessary to facilitate the conversion of the listed barns, and so can give no weight to the proposition that this element of the scheme would comprise enabling works for the barn conversion to facilitate its retention. For the same reason and taking into account the identified harm to the listed asset, I have not found it appropriate to consider a split decision.

29. The impact on protected species is a neutral factor in the planning balance. The proposal would comprise inappropriate development in the Green Belt. It would also fail to preserve openness. The Framework establishes that Green Belt harm should be given substantial weight. None of the other considerations would clearly outweigh the harm caused to the Green Belt.

30. Taking all these factors into account it is clear that the very special circumstances required to justify inappropriate development in the Green Belt have not been demonstrated. Accordingly the proposal conflicts with policy GB1 of the Local Plan.

31. Therefore, for the reasons given above, and having regard to all other matters before me, I dismiss the appeal.

Anne Jordan

INSPECTOR