
2023/1049

Applicant: Mrs Michelle Bailey

Development: Erection of a reception lodge and 9 cat lodges.

Address: Pule Hill Lodge, Rag Lane, Thurgoland, S35 7BA

Site Location & Description

The site is located close to the main A629 which leads to Sheffield and close to the boundary of the residential area of Thurgoland. The property has a shared access with Pule Hill Farm to the east. The nearest residential properties are Pule Hill Farm, Copster House Farm, Hill Crest and Copster Close, all approximately 200 - 220m away.

The site consists of a dwelling and existing dog kennel building and isolation kennels and has been in operation since 2009. The kennel building is split into 10 standard kennels and runs and 2 family kennels and runs. The original planning application was approved subject to a condition limiting the number of dogs to be kennelled at the site to be a maximum of 14 as requested by Regulatory Services.

Following the removal of condition 5 the internal layout was changed to 8 standard kennels with 3 family suites, with a reception, admin and prep area.

There are a number of outbuildings located at the rear of the site including outdoor gym equipment. The buildings are used as isolation kennels and storage. These do not have the benefit of planning permission.

The siting associated with this application is located to the rear of the dwelling within an open field beyond the rear garden area. This is located within the Green Belt.

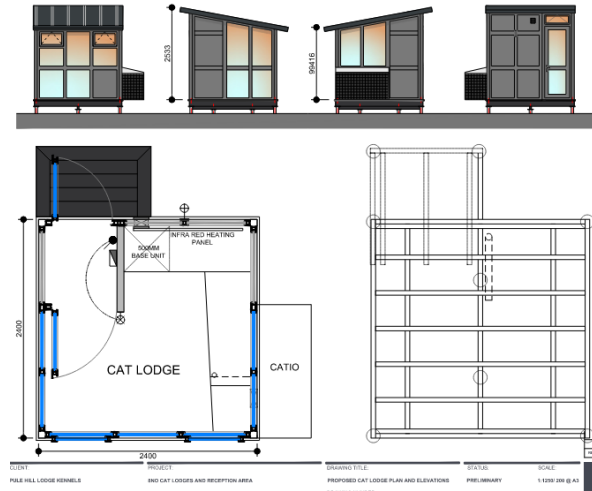


Proposed Development

The proposal involves the erection of a reception lodge and 9 cat lodges. The lodges will be grey UPVC units with double glazed tinted glass. The roof will be angled and flat, with

kingspan insulated roof panels also in grey. Composite decking steps will provide access to the units and will also be grey.

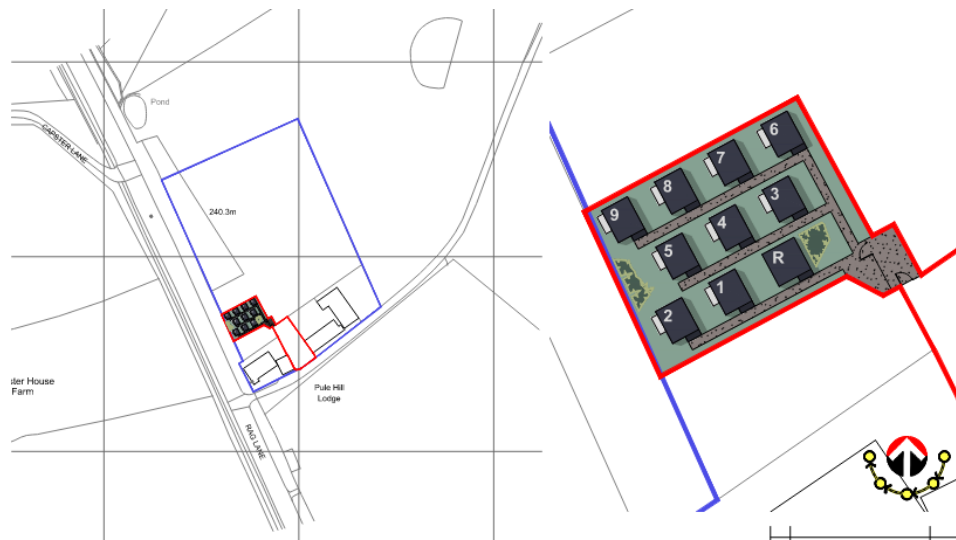
The cat lodges are proposed to measure 2.4m x 2.4m, with a 'catio' mesh basket on the side. The cat lodges will measure 2.53m in height.



The reception lodge will measure 2.4m x 3m and 2.53m in height.



The cat lodges and reception lodge will be located close to the boundary with Rag Lane.



Relevant History

2009/0166 Change of Use barn to kennels

2011/1491 Variation of condition 5 of application 2009/0166 to allow up to 20 dogs - Withdrawn.

2012/0442 Extension to dog kennels reception and prep room

2012/0037 Remove condition for max dogs.

Policy Context

Planning decision should be made in accordance with the local 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 Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

NPPF

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.

In respect of this application, relevant sections include:

Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 8 provides three overarching objectives to sustainability, social, environmental and economic. Paragraph 10 states to ensure that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

Paragraph 115 – Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network should be severe.

Paragraph 131 - The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 139 – Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Paragraph 152 states that, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 153 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very special circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: - not have a greater impact on the openness of the Green Belt than the existing development; or - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Paragraph 180 states that planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Paragraph 186 states that when determining a planning application, local authorities should apply the following principles a) if significant harm to biodiversity, resulting from

development, cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Local Plan

The property is located within the rural Barnsley and is designated as Green Belt in the adopted Local Plan.

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

Policy SD1: Presumption in favour of Sustainable Development

Policy GD1: General Development

Policy LG2: Location of Growth

Policy GB1: Protection of the Green Belt

Policy GB3: Changes of Use in the Green Belt

POLL1: Pollution Control and Protection

BIO1: Biodiversity and Geodiversity

Policy T3: New Development and Sustainable Travel

Policy T4: New Development and Highway Improvement

Policy D1: High quality design and place making

SPD: Biodiversity and Geodiversity

SPD: Parking

SPD: Trees and Hedgerows

SPD: Sustainable Travel

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

Consultations

Yorkshire Water – No comments received.

Local Councillors – No comments received.

Thurgoland Parish Council – No objections.

Drainage – No objections, happy for building control to check details.

Public Rights of Way – No objection subject to conditions

Highways – No objections

Pollution Control – This development is unlikely to have an adverse impact on health and the quality of life of those living and/or working in the locality, therefore there are no objections/conditions recommended.

Biodiversity – No objections subject to conditions.

Representations

Assessment

Principle of development

Policy GB1 of the Local Plan states that the Green Belt will be protected from inappropriate development in accordance with National Planning Policy. Paragraph 152, of the NPPF states that inappropriate development, is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 states that when considering any planning applications, LPA's should ensure that substantial weight is given

to the harm to the Green Belt, and 'Very Special Circumstances' will not exist unless the potential harm by reason of inappropriateness is clearly outweighed by other considerations.

The exceptions are set out in paragraph 154 of the NPPF. The proposal does not meet any of the exceptions and is expected to have a greater impact on the openness of the Green Belt than the existing use.

The applicant has submitted additional information with regards to the high need/ demand for such a facility within this area. Whilst the Council is not disputing that there is significant need for the additional services the application wishes to provide, 'very special circumstances' have not been demonstrated to outweigh the fact that the proposal is classed as inappropriate development within the Green Belt.

In conclusion regarding the matter of principle, and in relation to paragraph 152 of the NPPF, the proposal is inappropriate development in the Green Belt which is by definition harmful and substantial weight is given to this harm in the planning balance. Very special circumstances cannot be said to exist as required by paragraph 153 of the NPPF and Local Plan Policy GB1 and as such the proposal is contrary to the relevant local and national policies in relation to Green Belt.

Visual Amenity, impact to the Green Belt

The site is an open field located to the rear of the domestic garden associated with Pule Hill Lodge. The lodges will be located close together with the area predominantly grassed over and wood chip paths formed to provide access around the individual buildings. The lodges although not particularly large in individual size will cover an area of approximately 326sqm, and collectively when viewed together will impact on the openness of the surroundings to the detriment of the Green Belt. The buildings will be constructed from grey UPVC with grey composite decking steps providing access to each lodge. The materials of the proposals will be of an alien nature within this setting and as a result will further detrimentally impact the visual amenity of the greenbelt landscape.

Furthermore, the lodges have been located close to Rag lane and although there are some visual barriers in the form of trees/ hedges the proposal will also be visible within the immediate street scene.

In conclusion, the proposal has failed to provide adequate justification to warrant 'very special circumstances' and the scale and design of the proposals would impact on the character and openness of the Green Belt and as such does not meet the criteria set within Local Plan Policy GB1 and GB3 and the NPPF.

Residential Amenity

The closest neighbour is approximately 200m away therefore the proposal is not expected to impact residential amenity within the area.

Highway Safety

Staff for the existing kennels occupy two parking spaces within the site and the same is proposed for the cat lodges. Customers for the kennels arrive by appointment only with a maximum of two parking spaces required at any time, again, this same arrangement will apply to the cat lodges. This gives a general maximum requirement for eight parking spaces within the site. It is evident that this number of spaces can be provided within the existing layout whilst still allowing room for vehicles to carry out turning manoeuvres.

In terms of deliveries and the movement of large vehicles, there would be minimal additional traffic generated by the proposals due to supplies being bought in bulk and generally collected by the applicant/owner.

Based on the information provided, it is considered that the proposals do not affect the current access, parking and turning arrangements of the site or adversely impact upon the highway and are therefore acceptable from a highways point of view in compliance with Local Plan Policy T3 and T4 and SPD Parking.

Biodiversity

The Council has reviewed the submitted documents in connection with this development. The biodiversity department does not wish to raise any concerns regarding the proposal in compliance with Local Plan Policy BIO1.

Recommendation

Refuse