
December 2015



Land at Millhouse Lane, Millhouse Green
Planning Policy Statement for proposed dwelling

On behalf of

Max Reid

Prepared by

I D Planning
Atlas House
31 King Street
Leeds
LS1 2HL



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Appendix 1

Appeal Decision for Infill Development @ Carr Head Road, Howbrook - (PINs ref APP/R4408/A/2200728

1.0 Introduction

- 1.1 This Planning Policy Statement has been prepared on behalf of Max Reid to support a full planning application for a single dwelling (infill plot) on land on the former Millhouse Green Nursery and Garden Centre off Millhouse Lane, Millhouse Green. A new bridge over the mill stream will be built to serve the new dwelling.
- 1.2 The application is submitted following the Planning Inspectors appeal decision for a similar infill development at Carr Head Road, Howbrook (PINs ref APP/R4408/A/2200728 – LPA ref 2013/0356). In allowing the appeal and granting planning permission for a single dwelling the Inspector confirmed infill residential development as appropriate in the Green Belt. A copy of the appeal decision is attached at Appendix 1.

The Application Site

- 1.3 The site is located in the village of Millhouse Green towards its western edge
- 1.4 It is surrounded by existing residential development with Millhouse Lane forming the southern boundary and A628 Manchester Road to the north.
- 1.5 The site was formerly occupied by Millhouse Green Nursery and Garden Centre. Whilst the buildings have been removed there is clear evidence on the ground of foundations / concrete slabs / hardstanding areas indicating location of previous buildings.
- 1.6 The site is within easy walking distance of local amenities and facilities, and is served by public transport links to the market town of Penistone where there are excellent schools, larger shops and leisure facilities. The site is in a sustainable location
- 1.7 The site sits within the Green Belt.
- 1.8 Further details on the site are set out in Section 2.

The Planning Application

- 1.9 The site is located in Millhouse Green with the site falling within the Green Belt.
- 1.10 The NPPF states at paragraph 89 that limited infilling in villages is an appropriate form of development in the Green Belt. It is therefore considered both appropriate and necessary to provide this detailed statement in support of the planning application for a single dwelling given the associated planning context and background against which this application is to be considered.
- 1.11 This statement describes the application site and nature of the proposal (Chapters 2 and 3) together with an assessment of planning policy issues (Chapters 4 & 5) of relevance to the application. Assessment of the planning application is set out in Chapter 5. Conclusions are set out in Chapter 6.
- 1.12 This statement will fully justify the proposal for the site and will advance justification for the proposed infill dwelling.
- 1.13 On the basis of the information provided in this statement, the associated supporting documents and on the application drawings, a presumption in favour of development can be maintained in this particular instance, the application being in accordance with the advice set out in the NPPF.
- 1.14 The planning application is supported by the following:

- i. Completed application forms, with all certificates signed and dated;
- ii. Site Location Plan prepared by Chris Carr Architects;
- iii. Architectural Plans prepared by Chris Carr Architects;
- iv. Design and Access Statement prepared by Chris Carr Architects;
- v. Planning Statement prepared by ID Planning;
- vi. Tree Survey and AIA prepared by James Royston;
- vii. Highways Statement prepared by Cannon Highways;
- viii. Ecology prepared by Middleton Ecology; and
- ix. Flood Risk and Drainage prepared by Stephenson Associates

- 1.12 The submitted additional technical information is considered sufficient to enable the Local Planning Authority to determine the clear merits of the proposed development.

2.0 Site Description

- 2.1 The site is located in the village of Millhouse Green, circa 5.5km from Penistone.
- 2.2 It is surrounded by existing residential development with Millhouse Lane forming the southern boundary and A628 Manchester Road to the north.
- 2.3 The site was formerly occupied by Millhouse Green Nursery and Garden Centre. Whilst the buildings have been removed there is clear evidence on the ground of foundations / concrete slabs / hardstanding areas indicating location of previous buildings.
- 2.4 As well as forming an infill plot within the village it is also considered to comprise previously developed land.
- 2.5 The eastern and southern boundaries contain the mill stream with a number of trees also found on the periphery of the site.
- 2.6 The site area is 0.19 Ha with land sloping gently towards the south
- 2.7 Pedestrian access to the site already exists from Millhouse Lane.
- 2.8 The site is not subject to any ecological, landscape or heritage designations
- 2.9 There are no trees or existing buildings on the site that could support protected species.
- 2.10 The site falls within Flood Zone 1
- 2.11 The site does not fall within a conservation area, nor does it affect the setting of any listed buildings.
- 2.12 The site is designated as part of a much larger area of Green Belt in the Barnsley UDP.
- 2.13 This is an infill site with existing dwellings on all sides. The main village is located to the east of the site. The Green Belt in this location is not considered to provide a clear role or function.

3.0 The Proposed Development

- 3.1 This statement accompanies a full planning application for erection of a single dwelling on land off Millhouse Lane. A new vehicular access bridge is also proposed from Millhouse Lane to serve the new dwelling.
- 3.2 The proposal constitutes infill development within the village with a continuous built up frontage existing to the north, east and south of the site. To the west there are also a number of dwellings. The site is therefore surrounded by existing residential development.
- 3.3 The new dwelling will take advantage of the sites contours and the landscaping opportunity provided by the surrounding mill stream. The house has been designed with a traditional wide frontage and with roofs constructed to 40°. Roof space over the house is designed to allow for attic storage.
- 3.4 The scale of the house is visually reduced by the layout and design which combines two, one and a half and single storey structures with traditional pitched and catslide roofs.
- 3.5 The development is enclosed by the mill stream, existing stone boundary walls and a number of mature trees. The timber access bridge over the mill stream aligns with the front door in the south elevation, which is parallel with Millhouse Lane. Garage doors face inwards.
- 3.6 The house has been designed to take full advantage of the setting, levels, aspect and available views.
- 3.7 The layout allows for generous garden areas and the distance between dwellings complies with the Council's guidance.
- 3.8 Further details are set out in the submitted Design & Access Statement.

4.0 Planning Policy Review

National Planning Policy Framework

4.1 The National Planning Policy Framework sets out the government's planning policies for England and how these are expected to be applied. The National Planning Policy Framework must be taken in to account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

Sustainable Development

4.2 The National Planning Policy Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. The guidance advises that the policies in paragraphs 18-219 taken as a whole constitute the government's view on what sustainable development in England means in practice for the planning system. Paragraph 7 sets out the three dimensions to sustainable development, namely economic, social and environmental with Paragraph 8 advising that to achieve sustainable development, economic, social and environmental gain should be sought jointly and simultaneously through the planning system.

4.3 At paragraph 14 the NPPF identifies that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. The supporting documentation submitted with this planning application clearly identifies that the development will provide economic, social and environmental benefits and constitutes sustainable development and therefore there is a presumption in favour of the proposal.

4.4 Paragraph 14 of the NPPF also goes on to advise that in terms of decision making (i.e. determining planning applications) a presumption in favour of sustainable development means: -

- *Approving development proposals that accord with the Development Plan without delay; and*
- *Where the Development Plan is absent, silent or relevant policies are out of date, granting permission unless:*
 - *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or*
 - *Specific policies in this framework indicate development should be restricted.*

4.5 The following chapters of both this Planning Statement and the supporting documentation submitted with the planning application demonstrate that the development is sustainable and in accordance with the Development Plan. The emphasis for decision making is therefore for the Local Authority to approve the development proposals without delay in accordance with paragraph 14 of the NPPF.

Core Planning Principle

4.6 Paragraph 17 of the NPPF identifies a set of 12 core land use planning principles which underpin both plan making and decision taking. The relevant principles are set out below: -

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth;
- Always seek to secure a high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this framework;
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided it is not of high environmental value; and
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable.

Delivering Sustainable Development

Building a Strong, Competitive Economy

4.7 Paragraph 18 of the NPPF advises that the government is committed to securing economic growth in order to create jobs and prosperity. Furthermore, paragraph 19 advises the government is committed to ensuring the planning system does everything it can to support economic growth. It clearly identifies that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

4.8 It is considered direct and indirect (suppliers) job opportunities will be created through the construction period.

Delivering a Wide Choice of High Quality Homes

4.9 Paragraph 47 of the NPPF clearly identifies that Local Authority's should seek to boost significantly the supply of housing with LPAs required to identify and update deliverable sites sufficient to provide 5 years worth of housing. In terms of how planning applications should be dealt with, paragraph 49 advises:

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of

housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing."

- 4.10 The document goes on to state there is a need to deliver a wide choice of high quality homes in order to create sustainable, inclusive and mixed communities (paragraph 50).

Requiring Good Design

- 4.11 The NPPF at paragraph 56 sets out the government's approach to design which advises that good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to make places better for people. Paragraph 57 expands upon this and advises that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- 4.12 The submitted plans and Design & Access Statement accompanying the development proposals clearly sets out how the development can meet these objectives and therefore represent high quality design.

Protecting Green Belt Land

- 4.13 Paragraphs 79 – 92 of the NPPF sets out guidance in relation to the Green Belt advising the essential characteristic of Green Belts is their openness and permanence.
- 4.14 Paragraph 80 sets out the five purposes of the Green Belt, namely:
- To check the unrestricted sprawl of large built-up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 4.15 Having assessed the site at Millhouse Lane and its relationship with the village and adjacent dwellings it is considered the site does not fulfil any of the above purposes or functions.
- 4.16 Paragraph 81 states that LPAs should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access, provide opportunities for outdoor sport and recreation, to retain and enhance landscapes, visual amenity and biodiversity or to improve damaged or derelict land.
- 4.17 In this case the redevelopment of this former nursery site would bring forward benefits to the visual amenity of the green belt in this location with a use inkeeping with its surrounds.
- 4.18 Paragraph 89 of the NPPF sets out the types of new building considered appropriate in the Green Belt, this includes:
- Limited infilling in villages

- 4.19 The appropriateness of such development in the Green Belt has been supported by a number of appeal decisions, not least at Howbrook where the Inspector allowed development of a new dwelling (appeal decision attached at Appendix 1).
- 4.20 The site in Millhouse Green would constitute infill development as it sits within the built envelope of the village with existing residential development on all sides.
- 4.21 As such the development of a single dwelling in this location would not harm the open character or appearance of the Green Belt and is therefore considered to be an appropriate form of development.

Conserving and Enhancing the Natural Environment

- 4.22 Paragraph 109 of the NPPF advises that the planning system should contribute to and enhance the natural and local environment with Paragraph 118 seeking to ensure LPAs conserve and enhance biodiversity interests.
- 4.23 With regard to ground conditions, paragraph 121 recommends that decisions also ensure that a site is suitable for its new use taking account of ground conditions and that adequate detail is presented on this point.
- 4.24 The site does not contain any buildings or trees that could support protected species. With regards ground conditions, the site has historically been in garden centre / nursery use and as such it is unlikely to be contaminated.

Decision Taking

- 4.25 The approach of Local Authorities to decision taking including planning permissions is set out in paragraphs 186 and 187 of the NPPF. Here paragraph 186 advises Local Planning Authorities to approach decision taking in a positive way to foster the delivery of sustainable development. The relationship between decision taking and plan making should be seamless, translating plans into high quality development on the ground.
- 4.26 Paragraph 187 goes on to say that Local Planning Authorities should look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible. Local Planning Authorities should work proactively with applicants to ensure developments that improve the economic, social and environmental conditions of the area.
- 4.27 More importantly, when determining planning applications, paragraph 197 of the NPPF advises that in assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development. As the proposal has been demonstrated to be sustainable through the submission documentation, it concluded that in accordance with the NPPF, the presumption in favour of sustainable development should apply to these proposals.

Development Plan

- 4.28 The Development Plan in this instance is formed by the Barnsley Unitary Development Plan (saved policies) and the Barnsley Core Strategy.

Barnsley Unitary Development Plan

- 4.29 The Barnsley UDP was adopted in 2000 with the policies subsequently saved in 2007. However the adopted Core Strategy replaced a number of the UDP policies.
- 4.30 In addition to some of the policies being saved, the allocations and designations also remain in place until such a time as the Barnsley Local Plan has been adopted. The Local Plan is in Draft form with consultation undertaken in 2014. Further consultation on the Draft is currently underway.
- 4.31 The site is designated as Green Belt on the edge of Millhouse Green.
- 4.32 Former UDP Policies GS7 and GS8 were relevant in terms of development within the Green Belt. These have not been saved and are replaced by Core Strategy Policy CSP34.
- 4.33 The only policy considered relevant to the proposed infill development is Policy H8a which deals with residential amenity. This states the scale, layout, height and design of all new dwellings proposed within the existing residential areas must ensure the living conditions and overall standards of residential amenity are provided or maintained to an acceptable level both for new residents and those existing, particularly in respect of the levels of mutual privacy, landscaping and access arrangements.

Barnsley Core Strategy

- 4.34 The Barnsley Core Strategy was adopted in September 2011 and along with other documents published as part of the Local Development Framework will replace the UDP. There are a number of policies within the document which are relevant to the proposed development and these are set out below.
- 4.35 Policy CSP1 sets out how the LPA will deal with climate change and states development will be expected to reduce and mitigate the impact of growth on the environment and carbon emissions ensure existing and new communities are resilient to climate change and increase the efficient use of resources through sustainable construction techniques and the use of renewable energy. The policy goes on to state the LPA will take action to adapt to climate change by giving preference to development of previously developed land in sustainable locations, locating and designing development to reduce the risk of flooding and promoting the use of sustainable drainage systems
- 4.36 Policy CSP2 sets out the requirements to secure sustainable construction and states development will be expected to demonstrate how it minimises resource and energy consumption and how it is located and designed to withstand the longer term impacts of climate change. The policy goes on to state all new dwellings will be expected to achieve at least a level 3 rating under the Code for Sustainable Homes or equivalent.

- 4.37 Policy CSP3 states all development will be expected to use Sustainable Drainage Systems ("SuDS") and only in exceptional circumstances, where it can be demonstrated that all types of SuDS are impractical, will other drainage management systems be permitted.
- 4.38 Policy CSP8 refers to the location of Growth within the Borough stating that development will only be allowed in villages if it is consistent with Green Belt Policy or (my emphasis) necessary for the viability of the settlement and to meet local needs.
- 4.39 Policy CSP9 deals with the number of new homes to be built and confirms the Council will seek to achieve the completion of at least 21,500 net additional homes during the period 2008 to 2026.
- 4.40 Policy CSP10 confirms around 1000 of these dwellings will be located within 'villages' within the borough. Millhouse Green is identified as a 'village' in the Core Strategy.
- 4.41 Policy CSP26 states new development will be expected to be designed and built to provide safe, secure and convenient access for all road users.
- 4.42 Policy CSP29 sets out design principles and states high quality development will be expected. Development should also contribute to place making and be of a high quality that contributes to a healthy, safe and sustainable environment as well as enabling all people to gain access safely and conveniently, providing, in particular, for the needs of families and children, and of disabled people and older people. The policy also confirms residential developments of ten or more dwellings should score a minimum of a 'good' rating in the Building for Life Assessment.
- 4.43 Policy CSP34 relates to protection of the Green Belt having replaced UDP Policies GS7 and GS8. However the policy is not as explicit as those it replaces simply stating:

Policy CSP 34 Protection of Green Belt

The general extent of the Green Belt is shown on the Core Strategy Key Diagram.

Its detailed boundaries will be shown on the Proposals Maps which will accompany the Development Sites and Places DPD.

In order to protect the countryside and open land around built up areas the extent of the Green Belt will be safeguarded and remain unchanged.

The Green Belt boundaries will be subject to localised review only which may result in changes necessary to deliver the borough's distribution of new employment sites as set out in CSP12.

- 4.44 In the absence of any specific guidance on 'appropriate uses', it is considered guidance set out at paragraph 89 of the NPPF provides the most appropriate policy context for assessing the planning application for a single infill dwelling.
- 4.45 Policy CSP36 deals with biodiversity and geodiversity and states development will be expected to conserve and enhance the biodiversity and geological

features of the borough by maximising biodiversity and geodiversity opportunities in and around new developments.

- 4.46 Policy CSP39 deals with contaminated and unstable land and states where the future users or occupiers of a development would be affected by contamination or stability issues, or where contamination may present a risk to the water environment, proposals must be accompanied by a report which shows that investigations have been carried out to work out the nature and extent of contamination or stability issues and the possible effect it may have on the development and its future users, the natural and historic environment and sets out detailed measures to allow the development to go ahead safely.

Barnsley Local Plan

- 4.47 The Barnsley Local Plan will, when adopted, replace the existing UDP and Core Strategy.
- 4.48 The Local Plan is currently in draft form and as such can only be afforded limited weight.
- 4.49 Policy GB1 of the Draft Local Plan refers to the extent of the Green Belt stating the Green Belt will be protected from inappropriate development in accordance with National Policy. There are a couple of other Green Belt policies in the Draft Local Plan but these do not refer to infill development.
- 4.50 As such GB1 is considered to be the only policy of relevance. Given the policy refers to National Policy and infill development is appropriate development in the Green Belt, it is considered the proposed dwelling complies with Policy GB1

5.0 Planning Assessment

Principle of Development

- 5.1 The site is located within the Green Belt.
- 5.2 Paragraph 89 of the NPPF states that infill development is appropriate in the Green Belt. It is noted UDP Policies GS7 and GS8 have not been saved and instead replaced by Core Strategy Policy CSP34. However CSP34, does not set out the types of development considered appropriate in the Green Belt. As such guidance set out in the NPPF is considered to be most relevant.
- 5.3 Consideration has also been given to Policy CSP8 which refers to the location of growth within the Borough stating that development will only be allowed in villages if it is consistent with Green Belt Policy.
- 5.4 The site is surrounded on all sides by existing dwellings with the main village located to the north, east and south. The location of the site relevant to existing dwellings and the village is clear from the submitted location plan. The site is therefore considered to constitute an infill plot for the purposes of assessing Green Belt development.
- 5.5 The site was formerly used as a garden centre / nursery with evidence on site of foundations and concrete hardstandings of former buildings. More recently the site has been used in conjunction with the applicant's dwelling to the south west. Residential development is located to the north, east and south of the site with a variety of house types and materials experienced.
- 5.6 The proposal consists of a single dwelling located in the garden area to an existing dwelling in keeping with the local vernacular of Millhouse Green which is a typical Pennine village.
- 5.7 The new dwelling will take advantage of the sites contours and the landscaping opportunity provided by the surrounding mill stream. The house has been designed with a traditional wide frontage and with roofs constructed to 40°. Roof space over the house is designed to allow for attic storage. The scale of the house is visually reduced by the layout and design which combines two, one and a half and single storey structures with traditional pitched and catslide roofs.
- 5.8 The new house will be constructed with coursed stone walls and an artificial stone slate roof. All door and window openings will feature sawn stone lintels and sills. Principal corners will have random stone quoins.
- 5.9 The single dwelling will contribute to the provision of the 1000 homes identified in Policy CSP10 for villages within the district to 2026.
- 5.10 The proposed dwelling therefore constitutes 'appropriate' infill development and will not harm the open character or appearance of the Green Belt in this location. Furthermore, the proposal is therefore considered to accord with Policy CSP8 in that the proposed development in this village is consistent with Green Belt guidance set out in the NPPF.
- 5.11 In light of the above the principle of development is considered acceptable.

Design

- 5.12 The proposed dwelling will take advantage of the sites contours and the landscaping opportunity provided by the surrounding mill stream. The house has been designed with a traditional wide frontage and with roofs constructed to 40°. Roof space over the house is designed to allow for attic storage.
- 5.13 The scale of the house is visually reduced by the layout and design which combines two, one and a half and single storey structures with traditional pitched and catslide roofs.
- 5.14 The development is enclosed by the mill stream, existing stone boundary walls and a number of mature trees. The timber access bridge over the mill stream aligns with the front door in the south elevation, which is parallel with Millhouse Lane. Garage doors face inwards.
- 5.15 The house has been designed to take full advantage of the setting, levels, aspect and available views.
- 5.16 Access to the site is by a new private bridge constructed over the mill stream. Existing stone boundary walls are to be retained and, where necessary rebuilt to accommodate the new entrance and proposed visitor parking spaces adjoining The Old Mill. Entrance gates are set back from kerb line of the adopted highway, on the far side of the new bridge. Within the site, a parking courtyard will provide access to integral garaging and to visitor parking spaces
- 5.17 The new house will be constructed with coursed stone walls and an artificial stone slate roof. All door and window openings will feature sawn stone lintels and sills. Principal corners will have random stone quoins. Pointing of the stonework will be in a cement/lime/sand mortar with exposed grit aggregate brushed flush with the surrounding stonework.
- 5.18 Whilst respecting the traditional local vernacular, the construction of new dwellings provides an opportunity to incorporate contemporary design ideas with open plan interiors and larger area of glazing, to take advantage of orientation, views and external access. The proposed house incorporates full height sliding folding doors to external and internal openings and areas of structural glass.
- 5.19 The Design and Access Statement which accompanies this application, provides details of the design of the scheme and demonstrates how development could be accommodated on the site and how this would fit within the wider context. In addition the submitted plans provide details on design, layout and scale.
- 5.20 In light of the above it is considered the proposed development is in accordance with the NPPF and Core Strategy policies CSP1, CSP2 and CSP29.

Amenity

- 5.21 Saved Policy H8a of the UDP seeks to ensure that living conditions for existing and future residents are acceptable. The proposed dwelling has been carefully designed to ensure there will be no overlooking / loss of privacy and that suitable private amenity spaces can be provided.
- 5.22 In light of the above it is considered the proposed development will provide acceptable living conditions for future residents without harming the living

conditions of existing residents. The proposal therefore complies with saved UDP Policy H8a.

Highways

- 5.23 Details on highway and access matters can be found in the supporting Design and Access Statement and Highways Statement.
- 5.24 A new bridge will be created into the site from Millhouse Lane with adequate land for parking / turning within the site. Millhouse Lane itself is capable of accommodating an additional dwelling and its junction with Manchester Road does not give rise to any safety issues.
- 5.25 In summary it can be seen the proposed development will not have a detrimental impact on the local highway network. Overall, it can clearly be seen the proposed development is in accordance with the NPPF and Core Strategy Policy CSP26.

Contamination

- 5.26 The site has historically been a garden centre / nursery and more recently in domestic use as a garden. As such the site is unlikely to be contaminated. It is therefore considered the proposals are in accordance with Policy CSP39 of the Core Strategy.

Ecology / Trees

- 5.27 There are no trees / buildings on site that would support protected species. In summary the site is of little ecological value.
- 5.28 The submitted Tree Survey / AIA and Ecology Assessment Report confirm the same.
- 5.29 In light of the above it is considered the proposed development is in accordance with Policy CSP36 of the Core Strategy.

6.0 Conclusions

- 6.1 This Planning Policy Statement has been prepared on behalf of Max Reid to support a full planning application for a single dwelling (infill plot) on land on the former Millhouse Green Nursery and Garden Centre off Millhouse Lane, Millhouse Green. A new bridge over the mill stream will be built to serve the new dwelling.
- 6.2 The application is submitted following Planning Inspectors appeal decision for a similar infill development at Carr Head Road, Howbrook (PINs ref APP/R4408/A/2200728 – LPA ref 2013/0356). In allowing the appeal and granting planning permission for a single dwelling the Inspector confirmed infill residential development as appropriate in the Green Belt.
- 6.3 The site is located in the village of Millhouse Green towards its western edge. It is surrounded by existing residential development with Millhouse Lane forming the southern boundary and A628 Manchester Road to the north. The site was formerly occupied by Millhouse Green Nursery and Garden Centre. Whilst the buildings have been removed there is clear evidence on the ground of foundations / concrete slabs / hardstanding areas indicating location of previous buildings.
- 6.4 The site is within easy walking distance of local amenities and facilities, and is served by public transport links to the market town of Penistone where there are excellent schools, larger shops and leisure facilities. The site is in a sustainable location
- 6.5 The site sits within the Green Belt.
- 6.6 The proposed dwelling constitutes infill development within the village.
- 6.7 The new dwelling is designed to reflect site setting (perimeter trees and mill stream) and the local vernacular of the village with a traditional wide frontage and with roofs constructed to 40°. Roof space over the house is designed to allow for attic storage. The scale of the house is visually reduced by the layout and design which combines two, one and a half and single storey structures with traditional pitched and catslide roofs.
- 6.8 Paragraph 89 of the NPPF states that infill development is appropriate in the Green Belt. It is noted UDP Policies GS7 and GS8 have not been saved and instead replaced by Core Strategy Policy CSP34. However CSP34, does not set out the types of development considered appropriate in the Green Belt. As such guidance set out in the NPPF is considered to be most relevant.
- 6.9 The proposed dwelling therefore constitutes 'appropriate' infill development and will not harm the open character or appearance of the Green Belt in this location.
- 6.10 Submitted drawings and supporting reports demonstrate how the proposed infill development can be accommodated on the site and that there are no technical reasons preventing the proposal being developed
- 6.11 In view of the above, it is considered the scheme satisfies national and local policy and represents a suitable and sustainable development proposal for the site that addresses all the relevant and material considerations. In this context, the proposal satisfies Section 38(6) of the Planning and Compulsory Purchase Act 2004 and it is considered that planning permission should be granted.

Appendix 1

Appeal Decision for Infill Development @ Carr Head Road, Howbrook
PINs ref APP/R4408/A/2200728



Appeal Decision

Site visit made on 12 December 2013

by **Julie Dale Clark BA (Hons) MCD DMS MRTPI**

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

Decision date: 13 February 2014

Appeal Ref: APP/R4408/A/13/2200728
5 Carr Head Road, Wortley, Sheffield S35 7HG

- 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 Christopher Orme, The Wharndcliffe Estate against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref 2013/0356, dated 29 March 2013, was refused by notice dated 7 June 2013.
 - The development proposed is erection of detached dwelling and garage, alterations to access and provision of parking space for existing dwelling, No 5 Carr Head Road.
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Application for Costs

1. An application for costs was made by Mr Christopher Orme, The Wharndcliffe Estate against Barnsley Metropolitan Borough Council. This application is the subject of a separate decision.

Procedural Matter

2. The location plan shows the site as comprising the side garden of No 5 Carr Head Road, between No 5 itself and No 11. The site plan indicates the adjacent property is No 9 but the appellant's statement confirms there is no Nos 7 or 9. I have therefore referred to the appeal site as being between No 5 and No 11.

Decision

3. The appeal is allowed and planning permission is granted for the erection of detached dwelling and garage, alterations to access and provision of parking space for existing dwelling, No 5 Carr Head Road at 5 Carr Head Road, Wortley, Sheffield S35 7HG in accordance with the terms of the application, Ref 2013/0356, dated 29 March 2013, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - *Drawing Nos:- OS1; S1; P1 and P2.*

Main Issues

4. I consider that the main issues are:-
- whether the proposed dwelling constitutes inappropriate development in the Green Belt;
 - the effect of the proposed dwelling on the openness of the Green Belt; and
 - whether in the event that the proposal is deemed inappropriate, the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to very special circumstances necessary to justify the development.

Reasons

Inappropriate Development

5. The National Planning Policy Framework¹ establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings is to be regarded as inappropriate unless they fall within the exceptions cited in the Framework. Limited infilling in villages is an exception.
6. The appeal site comprises the side garden of No 5 Carr Head Road and is located between Nos 5 and 11 Carr Head Road within the village of Howbrook. There seems to be no dispute that the site is within the Green Belt but the appellant considers that development would not be inappropriate as it would represent infill development. Core Strategy Policy CSP 34² establishes that the Green Belt will be protected but it makes no reference to infill development.
7. The Council state that there are no policies within the Core Strategy that would allow for infill sites to be released for market value homes within the Green Belt although a rural exceptions policy for affordable housing is mentioned. The Framework indicates that 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 taken as a whole; or specific policies in the Framework indicate development should be restricted.
8. In this case, the Framework indicates that infilling in the Green Belt is not inappropriate development and I am satisfied that the appeal site is in a location and of a size as to reasonably be considered an infill site. The proposal would not therefore constitute inappropriate development in the Green Belt.

Openness

9. The Framework states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Green Belts are their openness and their permanence. In this case the proposed dwelling would fill in the gap between buildings but in the

¹ Communities and Local Government National Planning Policy Framework, March 2012 (the Framework).

² Barnsley Local Development Framework Core Strategy, Adopted September 2011.

context of the existing linear development on both sides of the road I consider that the impact on the openness of the village generally would be limited. As the appeal site is between other residential properties and the proposed dwelling would not extend any further into the field at the rear of the site. I do not consider that the proposal would lead to urban sprawl nor conflict with any of the purposes that Green Belt serves.

Other Considerations

10. As I have found that the proposal would not constitute inappropriate development it is not necessary to consider very special circumstances.
11. No other issues have been identified as causing harm. I have considered all other matters raised but none alter my conclusion.

Conditions

12. No conditions have been suggested but in the light of Circular 11/95³ I consider that a condition is necessary to ensure that the development shall be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning. The plans indicate the materials to be used in the construction of the dwelling and the garage and so I do not consider any further conditions are necessary.

Conclusion

13. The Framework makes it clear that inappropriate development should not be approved except in very special circumstances. I have found that the proposal would not constitute inappropriate development and the effect on the openness of the Green Belt would be limited. I have not identified any other harm. The appeal would comply with the Framework and no conflict with Core Strategy Policy CSP 34 would arise. The appeal therefore succeeds.

J D Clark

INSPECTOR

³ Circular 11/95 The use of conditions in planning permissions.

