
Reference: 2022/0038

Applicant: Mr Rob White

Description: Variation of condition 2 (approved plans) of planning permission 2018/1313 to enable addition of a gazebo to the south of the café extension - Erection of single storey extension to cafe/restaurant and hard and soft landscaping scheme across the site.

Address: Rob Royd Farm Shop, Genn Lane, Worsbrough, Barnsley, S70 6NW

Site Location & Description

The application relates to Rob Royd Farm Shop which sits to the east of Genn Lane and comprises a single storey, stone-built structure and has an octagonal shaped café/restaurant extension attached to the South. There is a black, metal clad storage building to the West of the site adjacent to the highway but there is no permission in place for that structure and it does not form part of this application.

The main building is set back from the highway and has a large car park (and overspill car park) which extends to the south along Genn Lane. The boundary with Genn Lane has been landscaped with a mature hedge running the length of the car park; in addition to this the hedgerow has been bolstered with several semi-mature trees. The surrounding area is characterised as open farmland although there are two residential properties located on the opposite side of Genn Lane.

To the rear of the site is a higher plateau area, beyond which is a service track and an open field. To the North East of the site are ground mounted solar panels.



Planning History

B/04/1853/WB – Erection of building for storage and sale of farm produce – Granted Conditionally.

2006/1922 - Variation of planning consent B/04/1853/WB - to allow manufacture and sale of farm baked produce – Refused – Allowed at appeal.

2008/0619 – Retention of two cold storage units – Approved.

2009/0764 – Extension to existing farm shops car park

2009/1194 – Erection of single storey side and rear extension to farm shop – Approved

2011/0718 – Relocation of site entrance – Approved

2012/0718 – Formation of terrace, picnic lawn and children's playground, alterations to landscaping, erection of gazebo and WC and additional parking – approved

2012/1027 – installation of 180pv solar panels at ground level - approved

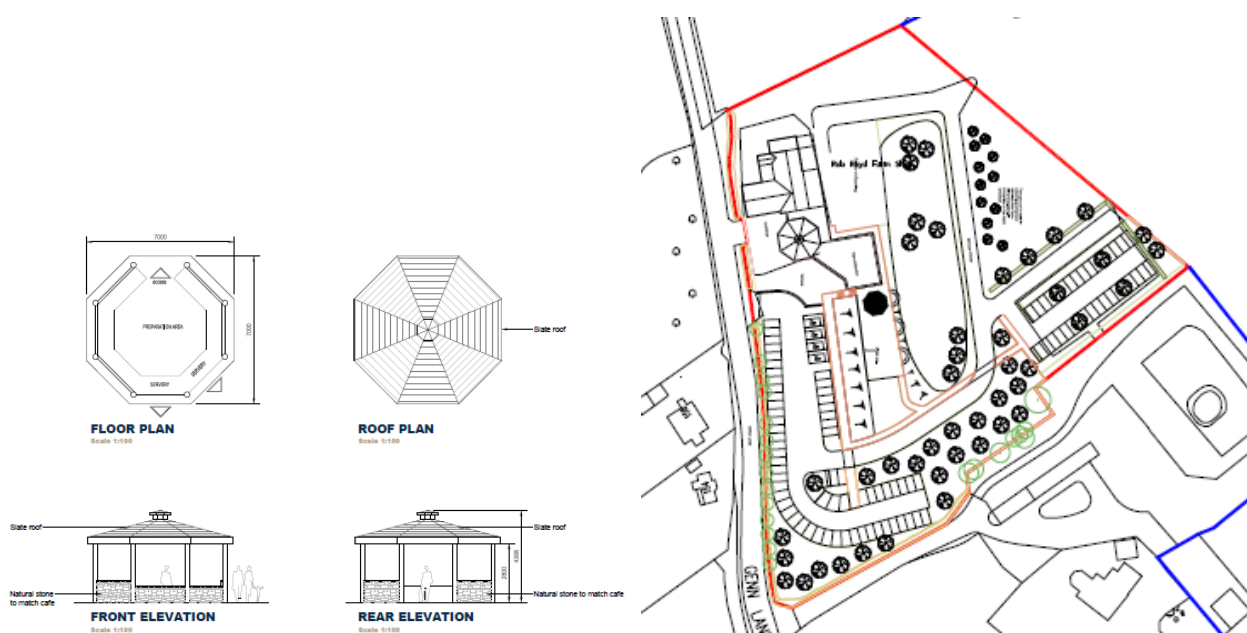
2014/0432 - Erection of a new florist shop, extensions to the shop and restaurant and formation of a new service vehicle access – approved

2016.0526 - Variation of condition 2 of application 2014/0432 (Erection of a new florist shop, extensions to the shop and restaurant and formation of a new service vehicle access.) to amend design to shop entrance. – approved

2018.1313 - Single Storey extension to café/restaurant - approved

Proposed Development

The applicant seeks permission to erect a gazebo to the South of the previously approved café/restaurant extension. The structure is octagonal and measure 7m x 7m with an eaves height of 2.8m and a ridge height of circa 4.4m. It would be a timber construction with dwarf natural stone walls and a slate roof to match the existing building. The gazebo would be used for serving food on the terrace. A gazebo was previously approved on the site under application 2012/0718.



Policy Context

The site is allocated as Green Belt within the Local Plan Proposals Maps and therefore the following policies are relevant:

Policy T4 New development and Transport Safety

Policy GD1 General Development

Policy GI1 Green Infrastructure

Policy GB1 Protection of Green Belt

Policy GB2 Replacement, extension and alteration of existing buildings in the Green Belt

Policy D1 High Quality Design and Place Making

Policy E7 Promoting Tourism and Encouraging Cultural Provision

Policy E8 Rural Economy

Policy Poll1 Pollution Control and Protection

Policy CL1 Contaminated and Unstable Land

NPPF

The NPPF 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.

Paragraphs of particular relevance to this application include:

Para 84 – Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity.

Para 93 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places

Para 111 - 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 would be severe.

Para 126 - The creation of high-quality 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.

Para 147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Para 148. 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.

Para 149. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.

Consultations

Conservation Officer – No objections

Highway – No objections

SYMAS - No objections subject to previous condition being carried forward

Coal Authority – No objections subject to previous condition being carried Forward

Reg Services – No objections

Representations

None

Assessment

Principle of Development

NPPF para 149 indicates that the construction of new buildings should be regarded as inappropriate in the Green Belt unless the proposal falls within a closed list of exceptions. One of these is 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.

Local plan policy GB2 provides local clarification of 'disproportionate additions' stating that, provided they would not have a harmful impact on the character or appearance and will preserve the openness of the Green Belt, we will allow extension of a building where the total size of the proposed and previous extensions does not exceed the size of the original building.

Given the number of additions to the original building over the years, the total size of the proposed and previous extensions in this case exceed the size of the original building. However, there is a further provision in NPPF para 149 which allows for (inter alia) limited infilling or the partial redevelopment of previously developed land, provided it would not have a greater impact on the openness of the Green Belt. It is important to assess the impact on the openness of the Green Belt (and not just on the openness of the site in question) in determining whether the proposed development would harm the openness of the Green Belt.

If it is judged that the proposal does not comprise one of the exceptions to the presumption that new buildings are inappropriate development in the Green Belt, then very special circumstances will be required to clearly outweigh the substantial weight given to the harm to the Green Belt from the inappropriate development and any other harm resulting from the proposal.

NPPF para 87 indicates that local authorities should apply a sequential test to planning applications for main town centre uses that are neither in an existing centre nor in accordance with an up-to-date plan. The glossary to the NPPF clarifies that a restaurant is a main town centre use and the proposal is not in an existing centre nor in accordance with an up-to-date plan. The Local Plan includes policy TC1 which indicates that a sequential approach will be used to assess proposals for new retail and town centre development and that out of centre development will only be allowed where it meets the requirements of the NPPF.

The gazebo is proposed to serve snacks and drinks to customers on the patio in association with the existing shop, café and restaurant. It was demonstrated with the previous to the existing café that there was no preferable town centre sites which could accommodate the proposed uses.

Local Plan policies E7 and E8 support tourist related development in rural areas provided the development will not have a harmful impact on the Green Belt. As such, these policies may only weigh in the balance in favour of the proposal if the potentially strong Green Belt objections can be overcome.

Impact on Openness of the Green Belt

The proposed extension would be in a similar location to the previously approved gazebo which was never built out and superseded with amended schemes.

As outlined above, NPPF para 149 allows for limited infilling or the partial redevelopment of previously developed land, provided it would not have a greater impact on the openness of the Green Belt. The gazebo would have open sides allowing views through it and would also be located immediately adjacent to the previously approved café extension as well as viewed against the rising land levels and banking to the rear of it. As such, arguably it would not have a greater impact on the openness of the Green Belt.

Very Special Circumstances

It should also be noted that the previous application (to which this application seeks to amend) demonstrated very special circumstances. This gazebo would form part of that application an overall comprehensive landscaping scheme;

Previously, the applicant has submitted piecemeal applications which have expanded the site over the years. There has never been an overall plan for the site or a complete vision of the finished project. There also remains a number of permissions which have been commenced, as such are extant, but have never been completed which means further development could come forward on the site in the future. This includes a florist kiosk to the front of the site, a gazebo to the rear of the restaurant, a large terrace, outdoor terrace and a children's play area.

Alongside this application the applicant has submitted a masterplan and landscaping for the whole site which would essentially over-ride the previous extant permissions once the current proposal is implemented. Therefore, by granting a larger extension centrally within the site and against a backdrop of the rising land level beyond, it would remove the prospect of further piecemeal development coming forward in the future in more prominent or elevated areas of the site without requiring permission.

The proposal also includes a comprehensive landscaping scheme which has never been proposed before including the planting of over 50 trees around the site, ornamental shrub planting, grassed areas and wildflower meadows. The terraced seating area previously approved is still included but scaled back. In addition, the parking areas have been approved over several previous applications, but the current proposal shows all the parking and plans to mark out the spaces and formalise it, as well as limiting the visual impact of the parking through the landscaping.

Given the above, it is considered that the harm caused by increasing the restaurant extension over and above the previous approval, is outweighed by the considerable benefits the current scheme brings through the site masterplan and comprehensive landscaping scheme. Rather than the development being piecemeal, as has been the case over the past 14 years, the scheme would be comprehensive and cohesive with a clear vision.

In addition to the above, the site currently employs 35no full time staff and the extension would generate a further 8 full time and 5 part time staff members.

Visual Amenity

The gazebo would be a relatively modest structure standing on a previously approved patio area and viewed against the rising land levels to the rear of the proposed site and also the immediately adjacent farm shop, café and restaurant.

The gazebo's design would also reflect the existing buildings on the site and the materials, consisting of timber, natural stone and slate, are consistent with the existing buildings. As such, visual amenity would be maintained in accordance with Local Plan Policy D1.

Residential Amenity

The closest residential properties are opposite Genn Lane to the South West of the site. There are also dwellings to the North and South of the site but are a greater distance from the proposed area of the gazebo.

It is not considered that the extension to the gazebo, predominantly to be used during periods of good weather, would significantly increase activity and noise and disturbance within the site compared to existing levels. Furthermore, the business generally operates within social hours. As such, residential amenity would be maintained to a reasonable degree, in accordance with Local Plan Policy GD1.

Conclusion

Taking into account the relevant development plan policies and other material considerations, it is not considered that there are any significant and demonstrable adverse impacts that would outweigh the benefits associated with the granting of planning permission for the scheme. The proposal therefore complies with the development plan as a whole and the advice in the NPPF.

As such the scheme is considered to accord with policies and guidelines and is recommended for approval.

Recommendation

Grant subject to conditions