

2022/0732

Mr Roger Coldwell

Erection of 1no. dwelling following demolition of stables

Land off Old Anna Lane, Work Bank Lane, Thurlstone, Sheffield, S36 9RR

Background

2002/0026 – Erection of stable block – Approved

2005/1708 - Erection of an agricultural storage building and two hen huts – Approved with conditions

2009/0161 - Erection of a lean-to building for storage of agricultural machinery (Retrospective) – Approved

Description

The site relates to timber stable block, situated on the northern side of Work Bank lane and east of the junction with Old Anna Lane, on the eastern outskirts of the village of Thurlstone. The site currently consists of a low, L-shaped timber built stable block. Adjacent to the site and outside of the red-line boundary is a timber clad agricultural storage barn.

The land has previously been used in connection with agriculture and equestrian activities. There is an existing timber L shaped stable block which was granted planning permission in 2002. In 2005 consent was given for a large agricultural building and two hen huts. In 2009 a lean-to structure was erected between the stable block and the barn, and following complaints from neighbouring residents, a retrospective application was submitted and approved. The applicant stated within the application documents that the lean to building was used for agricultural purposes for the storage of agricultural machinery.

The field and building are accessed via an existing field gate entrance off Old Anna Lane.



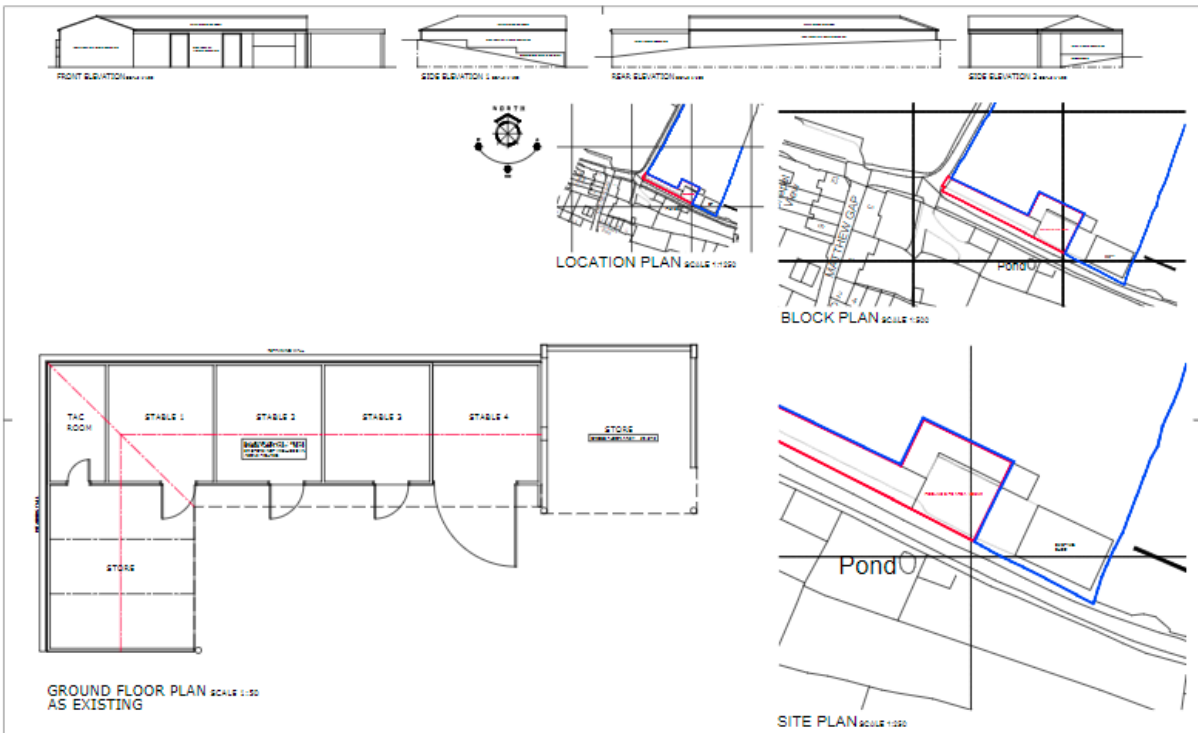


Proposed Development

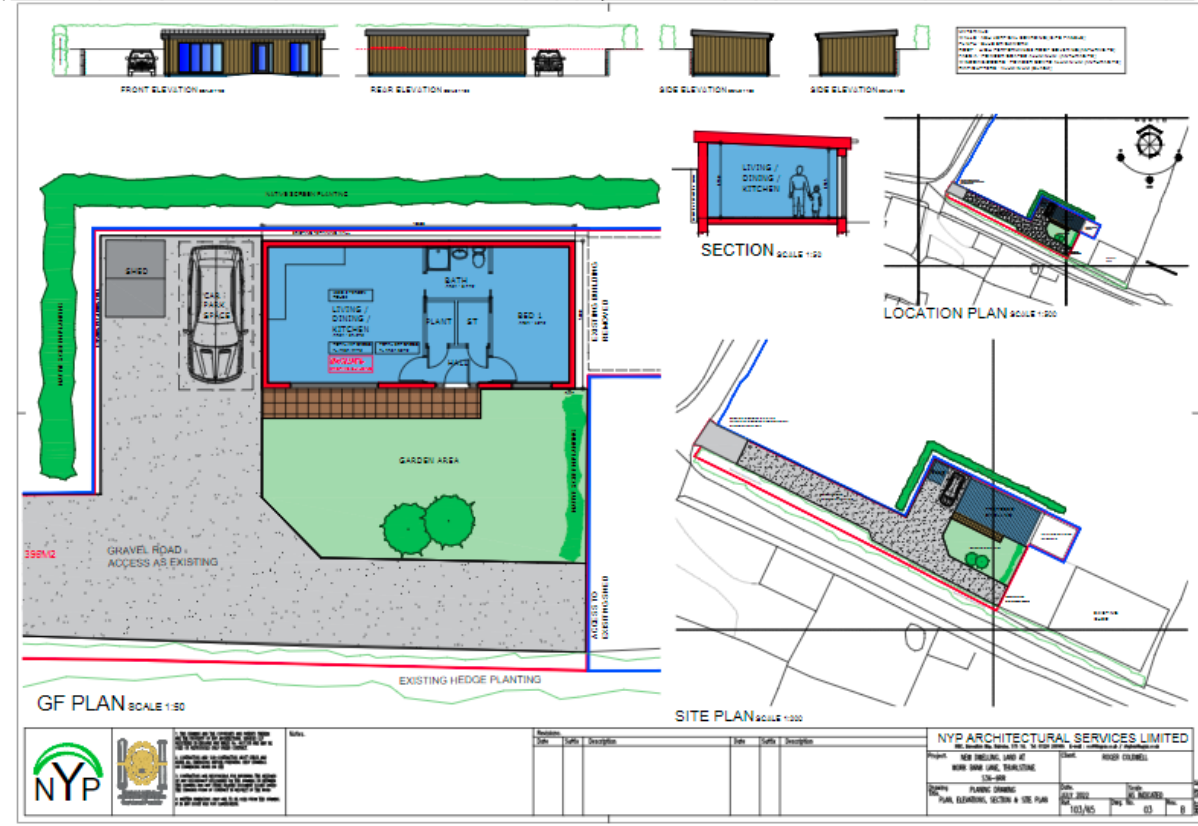
The proposal involves the demolition of the existing timber stables and attached agricultural lean to and the erection of a detached dwelling constructed with Ash vertical boarding to the walls and an anthracite felt roof. The dwelling has an internal floor area of approx. 47sqm and a footprint of approx. 53sqm. The internal layout shows 1 bedroom, a bathroom, lounge/kitchen/dining area and storage. Externally, the proposal includes a garden area to the front of the dwelling, a parking area and an area for a shed to the side. No elevations have been submitted for the proposed shed. The dwelling would be accessed via an existing gravel access road off Old Anna Lane.

The existing stable block is constructed of timber and has a floor area of approx. 95sqm. The stables are approximately 3.4m in height to the pitch and 2.4m in height to the eaves. No details have been provided in relation to the current use of the agricultural barn which is in the applicant's ownership, to the east of the proposed dwelling.

The following documents have been submitted in support of the proposal:- Planning Support Statement, Bat Report and Highways Report.



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| | | <p>Notes:</p> <p>1. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010 AND THE BUILDING ACT 2004.</p> <p>2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND CONSENTS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.</p> <p>3. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.</p> <p>4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY CONSENTS FROM THE LOCAL AUTHORITY AND OTHER RELEVANT AGENCIES.</p> | Revision | | <p>NYP ARCHITECTURAL SERVICES LIMITED</p> <p>100, NEWBURY ROAD, BARNESLEY, SOUTH YORKSHIRE, S10 2NS</p> | |
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Policy Context

The site is allocated within the Green Belt within the Barnsley Local Plan proposals map.

The new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Local Plan Policy GB1 – Protection of Green Belt
Local Plan Policy GD1 General Development
Local Plan Policy D1 High Quality Design and Place Making
Local Plan Policy T4 – New Development and Transport Safety

SPDs

Design of Housing Development
Sustainable Travel
Parking

Other Guidance

South Yorkshire Residential Design Guide Adopted 2011

NPPF

In respect of this application, relevant policies include:

13. Protecting Green Belt Land

Paragraph 138 of the NPPF states that: Green Belt serves five purposes:

Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 149 states:-

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.

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

Planning Practice Guidance – Green Belts July 2019

Penistone Neighbourhood Plan – Adopted August 2019

BE1: Design of the built environment

All new housing proposals should adhere to the following principles, where it is appropriate:

a) Where new housing developments are proposed, homes should be reflective of local architecture and in keeping with the surrounding area. In particular, the following design principles should be adhered to:

- To have no houses above two storeys on the perimeter of built up areas where it adjoins open countryside, where they have a greater impact upon the surrounding area in order to preserve and enhance the character of the area, in particular allocation sites HS70, HS71, HS74, HS75 as shown in Barnsley Local Plan.
 - New developments should use external building materials that reflect the characteristic of development in the locality.
- b) All residential developments will be expected to be designed so as to be sensitive to any existing wildlife habitat and corridor and should be appropriately landscaped and in particular development on the edge of the existing settlements shall incorporate tree planting so as to soften the built-up edge of the settlement as viewed from the countryside. Any residential development of 20 or more units will be expected to make provision for the appropriate amount of open space, in accordance with Barnsley MBC standards.
- c) Development proposals should respect and maintain key views as identified on maps 2 and 3, in order to maintain the character and appearance of the town and villages.

Consultations

Highways – No objection subject to conditions

Drainage – No objections, details to be checked by Building Control

Yorkshire Water – No comments received

Biodiversity Officer – No objection subject to conditions

Pollution Control – No objections

Town Council – No comments received

Representations

No comments received

Assessment

Principle of development

The site is situated within the Green Belt as allocated within the Barnsley Local Plan. The proposal involves the replacement of the stable with a new dwelling, therefore para 149 of the NPPF is of relevance. The NPPF states a local planning authority should regard the construction of new buildings as inappropriate in Green Belt, with certain exceptions which include limited infilling or the partial or complete redevelopment of previously developed land (PDL), 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.

The site currently consists of an L shaped timber stable block with an attached lean to agricultural building. The stables and agricultural lean to are to be removed as part of the proposal. The applicant also owns the grazing land to the rear of the site and the adjacent large agricultural barn which faces over the site to the east and shares the same access. These do not form part of the application and the large barn is to be retained.

The stables are set within an area of Green Belt which is open and rural in nature and is set away from the defined village boundary of Thurlstone. Stables are an outdoor sport and recreational use and are appropriate within the Green Belt. When assessing new applications for stables within the Green Belt the Council request that the stables should be constructed of timber and not of blockwork/stone/brick. Stables constructed of a more substantial materials are more likely to remain and therefore would continue to have an impact on the landscape after the use has ceased. The stables on site are low in height and of a simple timber construction and are similar to other timber stable blocks within rural locations around the borough. Whilst the site is previously developed land, the stables have a limited impact upon the openness of the Green Belt due to their construction and occasional use. The proposal involves the replacement of the stables with a timber clad bungalow, to be used as a permanent residence. Whilst the development proposes the erection of a building of a smaller footprint to the wooden stables, the proposed dwelling would have an overly modern and domestic appearance with windows and doors and a defined residential curtilage set to the side/front of the dwelling. The proposed dwelling is set outside of the defined village boundary would appear isolated and would conflict with the principle of Green Belts which is to safeguard the countryside from encroachment and to check the unrestricted sprawl of large built-up areas. The dwelling would be of a more permanent construction than the wooden stables, therefore it is considered that the proposal would have a significantly greater impact upon openness than the existing stables contrary to Paragraph 149 of the NPPF.

In terms of the proposed use, a new modern dwelling within this area of agricultural land would result in the residential development of an area which is open and rural in nature, would result in residential activity within the Green Belt and associated paraphernalia, such as washing lines, table/chairs etc set to the front of the dwelling, creating significant harm to visual amenity, an urbanising affect, and a loss of openness. The use of glazing and the associated residential illumination that would occur in the evenings would also be out of character. In addition, the formation of a curtilage area to the front/side and its use as a garden/parking

areas would appear at odds with the adjacent agricultural land and would harm the visual amenity of the Green Belt. The proposed use would therefore have a greater impact on the openness of the Green Belt than the existing private equestrian use contrary to paragraph 149.

Within the supporting statement the applicant has referred to an appeal decision at Cliff Hollins Lane, East Bierley which is outside of the Barnsley area, in addition the site was associated with a riding school and related buildings and is therefore not comparable to this private equestrian facility. In terms of recent appeal decisions within the Barnsley area, a recent appeal was dismissed under appeal reference APP/R4408/W/21/3281156 (planning application no 2021/0571) at Royd Moor Road, Thurlstone, approximately 750m from this application site, proposed the replacement of a similar timber stable block within the Green Belt with a 1 bedroom stone built dwelling of a similar scale to the dwelling proposed by the applicant. The appeal was dismissed by the Planning Inspector who stated in terms of the urbanising impact upon the Green Belt:- 'Furthermore, the design elements for a dwelling, including the use of extensive glazing and the chimney breast, the illumination that would occur, and the domestic paraphernalia and activities that would be associated with its use as a dwelling would have something of an encroaching urbanising effect that would be markedly at odds with the site as it is at present, and with the open and undeveloped rural character of the wider area. The use of timber for the dwelling rather than stone would not adequately mitigate this, nor would boundary planting.'

In addition to the above, consideration must also be made to the precedent set for further developments of this nature within the Green Belt. Allowing the replacement of an isolated timber stable in this area would set a dangerous precedent for further dwellings replacing privately owned stables in the area, further eroding the openness of the Green Belt.

While the proposal would constitute previously developed land, it is considered that the proposed development would have a significantly greater impact on the openness of the Green Belt than the existing development and fails to comply with paragraph 149 of the NPPF. The proposal would therefore be inappropriate development which would, by definition, harm the Green Belt.

Residential Amenity

Policy GD1, General Development Policy of the Local Plan states that 'proposals for development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.'

In terms of the amenity of any future occupiers and compliance with the Supplementary Planning Document and the South Yorkshire Residential Design Guide, the proposed dwelling meets the minimum requirements in terms of external amenity areas and internal room sizes. Whilst the proposal meets these minimum requirements, the proposed dwelling would be set in close proximity to an agricultural barn and would share the same access. The applicant has not indicated what this existing barn is used for, however as it is in agricultural use and is set adjacent to agricultural grazing land, the barn could be used for a variety of uses, which include storage of machinery or housing of livestock. The barn door opening is set directly to the front of the proposed dwelling and in close proximity to its proposed habitable room windows and private amenity space. Agricultural activities are often noisy with the use of large machinery or the keeping of livestock and are often carried out 24hrs a day, therefore any noise/activity/smells within the barn could be significantly detrimental to any future occupiers of the dwelling. In addition, as the dwelling is set so close to the agricultural access, the residents would be disturbed by the coming and going of farm vehicles/farm workers at all hours, given that agricultural activity can occur early mornings and into late evenings. The dwelling would also suffer from substandard levels of privacy given the close proximity of the barn to the habitable room windows and the private garden area to the front of the dwelling.

In summary, the location of the dwelling, adjacent to an agricultural barn and sharing the same access, would be otherwise impractical or undesirable and would be of detriment to the amenity of potential occupiers due to potential noise, odour, loss of privacy and disturbance from the agricultural activities, contrary to policy GD1 of the Local Plan.

Highway Safety

The Highways section have no objection to the proposal subject to conditions. The site is located on Old Anna Lane, a rural lane bounded by stone walling with no footways or street lighting which is subject to a 30mph limit, at the junction with Work Bank Lane. The application proposed a 1 bed dwelling, therefore the provision of 1 parking space is appropriate and in accordance with the Parking SPD. The proposal allows for the turning of vehicles within the site and the access has sufficient visibility, therefore there should not be any significant impact upon highway safety in accordance with policy T4 of the Local Plan.

Impact on wildlife

The applicant has provided a bat survey report which states that no bats were found roosting in the building during the preliminary daytime assessment and there were no signs of bat occupation. Nesting swallows are however present in the building. The Councils Ecology Officer has considered the report and has no objections to the proposal subject to conditions which should include the provision of bat and bird boxes. The proposal is acceptable in terms of Local Plan Policy BIO1.

Drainage

The Drainage Officer has no objection to the proposal.

Recommendation

Refuse