
Appeal Decision

Site visit made on 24 November 2020

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2021

Appeal Ref: APP/R4408/W/20/3259507

Land off Bar Lane, Mapplewell, Barnsley S75 6DQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr P Needham against the decision of Barnsley Metropolitan Borough Council.
 - The application Ref: Ref: 2020/0489, dated 19 May 2020, was refused by notice dated 28 August 2020.
 - The development proposed is demolition of stables and erection of 1 no. dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of proposed development in the banner heading above is taken from the appeal form and decision notice as it is more succinct than that shown on the application form.

Main Issues

3. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt, and its effect on the openness of the Green Belt; and
 - If the proposal would be inappropriate development in the Green Belt, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether inappropriate development

4. The appeal site is located within countryside beyond the built-up area of Mapplewell. It is within the Green Belt.
5. Policy GB1 of the Barnsley Local Plan (2019) (LP) requires Green Belt to be protected from inappropriate development in accordance with national policy. As such, Policy GB1 of the LP is broadly consistent with the National Planning Policy Framework (the Framework).
6. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are

their openness and permanence. Paragraph 145 of the Framework sets out a small number of exceptions to inappropriate development in the Green Belt. One such exception under paragraph 145g) is the partial or complete redevelopment of previously developed land (PDL), which would not have a greater impact on the openness of the Green Belt than the existing development.

7. The site comprises a stable block with an access track, fencing and establishing hedgerow planting, set within grazing land to the south of Bar Lane. The existing single storey building contains three stables and a tack room. It has a rectangular main body with concrete block walls and a shallow pitch, felt-covered roof. Two lean-to's adjoin its south-eastern corner.
8. It is undisputed that the site of the proposed dwelling is PDL. The second part of the exception test would need to be satisfied. This concerns whether the proposal would not have a greater impact on the openness of the Green Belt than the existing development.
9. The Framework sets out that openness is an essential characteristic of Green Belts. It has both a spatial and visual aspect. Matters relevant to openness are a matter of planning judgement.
10. The proposed dwelling would be in an elevated position relative to lower lying countryside in the area. The location is close to a 'fork' in the public right of way (PROW) which leads up the access track from Bar Lane to the rural landscape of Blacker Hill and beyond. The PROW splits, passing close to the sides of the proposed plot. As such, the site is visible from Bar Lane, public rights of way and various viewpoints in the surrounding countryside. These include some skyline vistas of the site viewed from lower terrain. Thus the site has prominence within the Green Belt from various viewpoints around the edge of Mapplewell and the rural landscape beyond.
11. The proposal is to replace the existing stables with a new one-storey dwelling, which would be constructed out of natural stone with a pitched slate effect roof. Two parking spaces and a turning head would be located to the front of the dwelling. Existing 'ranch style' timber fencing and establishing hedging would visually demarcate the perimeter of the garden, including to the rear and sides.
12. The volume of the building would be around a fifth less than the existing stable block, given the proposed removal of the lean-to's at the south-eastern corner. That said, assessment of openness is not limited solely to the volumetric. The footprint of the main body of the proposed dwelling would be similar to that of the main body of the existing building. Also, the volume of the proposed building's main body would be approximately just 10cu.m or 6% less than the main body of the existing building. With no reduction in ridge height, the presence of the building's bulk - as experienced 'on the ground' from the combination of viewpoints described above, and including skyline profiles of the dwelling - would not be noticeably diminished.
13. Moreover, the proposed dwelling would be set appreciably away from other dwellings in the area and would extend further into the countryside.
14. The appellant considers that use of the appeal site for livery would generate more traffic than the proposed dwelling. However, there is not substantive site-

specific evidence of this. Furthermore, the need of future occupants of the proposed dwelling to access services, shops, leisure, healthcare and possibly employment would generate comings and goings not required for the stables. As such, the proposed change from equine accommodation to occupation of the dwelling is likely to generate greater activity and comings and goings on and in the vicinity of the site. The above together would result in associated domestic paraphernalia including in the garden, vehicular presence, illumination and noise.

15. Perimeter fencing and hedging have been installed following refusal of previous dwelling proposals for the site. The limited screening effect of these would not conceal the dwelling, associated domestic paraphernalia, illumination and activity.
16. The proposed use of natural stone in the building's walls would provide an element of rustic character. However, the introduction and extent of glazing to the building and the other residential architecture and use of the proposed dwelling would, overall, have a suburbanising effect, which would contrast awkwardly with the openness of the surrounding land that generally fringes the appeal site. The prominence of the site's countryside location, close to public rights of way leading into the rural landscape would accentuate this awkwardness.
17. The not noticeably diminished presence of the proposed building's bulk, as experienced 'on the ground', combined with associated domestic paraphernalia, illumination and activity would lead to the dwelling having a greater impact on the openness of the Green Belt than the existing development. This would cause moderate harm to openness.
18. Furthermore, the combination of residential building mass, use, paraphernalia, illumination and activity would result in encroachment into the countryside. Therefore, it would undermine the purposes of the Green Belt as set out in the Framework.
19. The modest reduction in curtilage compared to a scheme previously refused would not negate the above harm. A previous scheme for a dwelling on the site was dismissed on appeal in 2018¹. The impact of the current proposal is not so reduced as to alter my conclusion.
20. While the proposal would constitute PDL, it would have a greater impact on the openness of the Green Belt than the existing development. Consequently, the proposal would not fall within exceptions paragraph 145g) of the Framework. It would therefore be inappropriate development which would, by definition, harm the Green Belt.

Other considerations

21. The proposed dwelling would be within approximately 1km of facilities within the centre of Mapplewell, and within around 200m of bus stops on Bar Lane. The accessible bus services provide moderately regular public transport access to settlements including Barnsley town centre and Leeds. The site is relatively accessible on foot or bicycle to the centre of Mapplewell, with the majority of the route comprising stretches of Bar Lane and Blacker Road which are served by street lighting and pavements. Realistic 'green' transport alternatives to the

¹ Appeal Ref: APP/R4408/W/18/3213869.

- private motor car would thus exist for future occupiers of the proposed dwelling.
22. The dwelling would be loosely clustered with properties on Wentworth Crescent. As such, it would not constitute isolated development. That said, paragraph 79 of the Framework does not state that a dwelling has to be 'isolated' in order for restrictive policies to apply, and there may be other circumstances when development in the countryside should be avoided.
23. Given the above, I find an absence of harm in terms of the site's accessibility. This is a neutral factor which does not weigh in favour of the proposal.
24. My attention is drawn to two dwellings which have been granted planning permission in the Green Belt. The other cases differ from the current proposal in various ways. One was on another site in a different part of the borough, the other in a different local planning authority area. One involved a substantially larger stable block with a close relationship to a riding school. These factors limit the extent to which the other cases are analogous to the current appeal proposal. Moreover, full details of the other cases are not before me and the current proposal has its own setting and circumstances. As such, I assess this case on its own merits.
25. The proposed development would provide a one bedroom dwelling, with associated socio-economic benefit to the area during and after construction. However, the scale of benefit would be limited and thus carries limited weight.

Whether very special circumstances

26. Policy GB1 of the LP requires protection of the Green Belt from inappropriate development in accordance with national policy. As per the Framework, inappropriate development in the Green Belt should not be permitted except in very special circumstances, which will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
27. I have found that the proposal would be inappropriate development in the Green Belt, which would, by definition, be harmful. The appeal scheme would also result in moderate harm to the openness of the Green Belt and would conflict with one of the purposes of including land within it. Paragraph 144 of the Framework requires substantial weight to be given to any harm to the Green Belt. The totality of identified harm to the Green Belt carries substantial weight. On the other hand, the other considerations I have identified are of limited weight in favour of the proposal.
28. Therefore, the harm to the Green Belt is not clearly outweighed by the other considerations identified and the very special circumstances necessary to justify the development do not exist. As such, the proposal is contrary to Policy GB1 of the LP and the Framework.

Other Matters

29. Residents have expressed a range of concerns including regarding their living conditions, wildlife, drainage and highway safety which go beyond the scope of the reason for refusal. As I am dismissing the appeal for other reasons, it is not necessary for me to consider these matters further in this instance.

Conclusion

30. The proposed development would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal fails.

William Cooper

INSPECTOR