
2019/0732

Applicant: Mr Bernard McDonough

Proposal: Siting of an additional static caravan, erection of an extension to the amenity building and amendments to the site layout approved under application 2017/0392.

Address: The Stables, Willow Bank, Woodstock Road, Barnsley, S71 1PS

No representations have been received from any members of the public

Site Location & Description

The application relates to land to the South of Willow Bank, within Wilthorpe. The site sits immediately to the South of a fishing pond and adjoins a railway embankment, the railway line being on a higher level than the site. Vehicular access to the site is gained from Woodstock Road and under the aforementioned railway line. The site is rectangular in shape and measures approximately 880m². The site is within the Green Belt as allocated in the Local Plan.

The site currently consists of a static caravan and associated shed/outbuilding, an amenity building, (which was a former stable and accommodates a kitchen dining area, laundry room and bathroom), a children's playhouse and space to park a touring caravan and several vehicles. The site is enclosed by solid boundary treatments and has vehicular access via metal gates to the West of the site

Planning History

2010/0672 – Change of use of land for the siting of a residential caravan and retention of converted stable block as a domestic amenity building – Approved for a temporary period of 5 years on 25/07/2012.

2017/0392 - Proposed permanent change of use of land for the siting of a residential caravan, shed, a children's playhouse and touring caravan and use of stable block as amenity building following expiry of limited period planning permission application reference 2010/0672.

Proposed Development

Since the approval of application 2017/0392 '*proposed permanent change of use of land for the siting of a residential caravan, shed, a children's playhouse and touring caravan and use of stable block as amenity building*' the site has been sold onto a larger traveller family who require additional accommodation on the site.

The additional accommodation includes a further static caravan (2no. in total) and an extension to the existing amenity building. The amenity building currently has an open plan lounge/kitchen area, a small prayer room and bathroom. The proposed extension would almost double the floorspace within the building allowing them to separate out and enlarge the kitchen and lounge spaces and also expand the prayer room and bathroom.

The site layout of the previously approval would also undergo modest amendments to accommodate the additional caravan and amenity building alterations. The site, as proposed, would accommodate 2no. static caravans, shed, a children's playhouse, extended amenity building and touring caravan.

Both static caravans have 3 bedrooms, one of which would be occupied by the applicant and his partner, along with their 5 children aged 12, 10, 9, 5 and 1. The second caravan would be

occupied by the applicant's extended family. The children would attend local schools and be registered to local doctors.

Policy Context

The new Local Plan was adopted at the full Council meeting held 3th 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).

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

Policy GT1 'Sites for Travellers and Travelling Show people'

Policy D1 'High Quality Design and Place Making'

Policy GB1 'Protection of Green Belt'

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

Policy GD1 'General Development'

Policy T4 'New development and Transport Safety'

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:

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

144. 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.

145. 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.*

Planning Policy for Traveller Sites

This document sets out the Government's planning policy for traveller sites and should be read in conjunction with the NPPF.

Policy E: Traveller sites in the Green Belt

Inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are inappropriate development.

Policy H: Determining planning applications for traveller sites

Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- the existing level of local provision and need for sites
- the availability (or lack) of alternative accommodation for the applicants
- other personal circumstances of the applicant
- that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites
- that they should determine applications for sites from any travellers and not just those with local connections

Consultations

Highways – Advice given at pre-application stage raised no objections.

Representations

Letters have been sent to 11no. neighbouring residents, a site notice erected and a press notice put in the Barnsley Chronicle. No letters of objection have been received as a result.

Assessment

Principle and Impact on the Openness and Visual Amenity of the Green Belt

The NPPF states that the construction of new buildings in the Green Belt is inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Planning Policy for Travellers sites also mirrors the comments in the NPPF.

However, paragraph 145 of the NPPF goes onto set out a number of exceptions to the above, these include *'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'* and *'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'*.

Local Plan policy GB2 'Replacement, extension and alteration of existing buildings in the Green Belt' mirrors the NPPF and states 'provided it will not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt, we will allow the following development...extensions or alterations of a building where the total size of the proposed and previous extensions does not exceed the size of the original building.

In this case, the site has already been developed and established for the siting of caravans and associated structures. It lies adjacent to the built up area of Wilthorpe, within Urban Barnsley, and adjoins residential development, a commercial fishing pond and railway embankment which sits above the height of the structures on the site. There are public footpaths and small roads within close proximity to the site; therefore, the site is visible from some public vantage points. The site is not visible, however, from the South, given the position of the railway embankment, and, when viewed from the north of the railway, the site and associated structures are viewed against the steep railway embankment itself.

As such, the impact of the additional modest caravan on the openness of the Green Belt is not significant, given the location of the railway embankment and neighbouring structures, as well as the site being positioned within Urban Barnsley and adjoining an established urban area. The application also proposes an extension to the existing amenity building. NPPF paragraph 145 supports 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. The proposed extension would fall short of 100% of the existing floor space. It is acknowledged that the ridge height would increase, however, the building sits to the Eastern part of the site viewed against the railway embankment, mature vegetation and neighbouring buildings, as such, it would not have a greater impact on the openness of the Green Belt.

Furthermore, the site is enclosed by a well maintained timber fence and wall which screens the caravans and associated buildings from surrounding views. As such, the caravans and outbuildings on the site are considered to sit comfortably within this urban fringe setting and there is little adverse impact on the visual amenity of the Green Belt.

Given the above the proposal is considered to accord with the provisions of paragraph 145 of the NPPF and Local Plan Policy GB2 and would not be considered as inappropriate development. As such very special circumstances are not required to be put forward in this instance.

Other Principal Issues

It should be noted that the site has been subject to previous planning applications, as set out in the planning history section above. As such, there is an established permanent traveller use on the site with permission for associated caravans and buildings. The previous application was

approved under the Core Strategy and saved UDP policies but had regard for the emerging Local Plan policies. The relevant Planning Board report concluded *'the site is unusually well integrated into the built up area and into its social structure and generally accords with Core Strategy Policy CS18 and has now been established for a considerable time period of in excess of 9 years'*.

Furthermore, the site accords with Local Plan policy GT1 'Sites for Travellers and Travelling Show people' as the site is on the edge of Wilthorpe within Urban Barnsley and therefore has good access to facilities. It is not in an area of high flood risk or affected by contamination and has adequate vehicular and pedestrian access from the highway. It would also provide a good safe living environment with appropriate standards of residential amenity with the ability to be developed in accordance with the CLG Gypsy and Traveller Site Design Guide (May 2008).

Policy GT1 goes on to state 'self-sought provision will be positively considered where it accords with this policy and other relevant policies within the Local Plan. This application will focus on whether the additional caravan and extension of the amenity building accords with the relevant policies, under the headings set out below;

General Need

Barnsley's Gypsy and Traveller and Travelling Showpeople Accommodation Needs Assessment (GTNA) 2015 identifies a five year requirement of 15 pitches between 2014/15 and 2018/19. A further annualised requirement of 1.83 pitches can be applied to this figure to account for household formation.

An emergency stopping place was created within the borough to help better management of, and reduce the frequency of illegal and unauthorised encampments, which are symptomatic of the current shortfall. However, this facility is currently closed.

Since the approval of the permanent permission on the site the local Plan has been adopted and allocated 2no. sites, in addition to the existing sites, within the borough. These include TS1 'Land North of Industry Road Carlton' for up to 11 pitches and TS2 'Burntwood Cottages extension, Brierley' for 8 pitches. However, it is not likely they will be available in the short term and this proposal would utilise an existing established Traveller site.

As outlined above, Local Plan policy GT1 states self-sought provision will be positively considered where it accords with this policy and other relevant policies in the Local Plan.

Visual Amenity

This has been assessed in detail earlier on in this report but the extended amenity building and additional caravan would be in keeping with the existing use of the site for Travellers. Given the site is well enclosed, the structures on the site are screened from a number of vantage points. As such the proposal is not considered to be detrimental to the visual amenities of the site or its surroundings.

Residential Amenity

The site does adjoin an urban area and neighbours several residential properties, however, the site is separated from the majority of the properties by the railway line immediately to the South of the site. The neighbouring properties to the North of the railway line are generally larger dwellings which are set within farms or large gardens, as such, there are reasonable separation distances.

Furthermore, the addition of an extra family on the site would not increase noise and disturbance, through vehicular movements and residential activity, to an unreasonable degree.

The previous approval had a condition restricting the number of caravans on the site and also prohibiting commercial activities on site, these conditions will be carried over to this permission.

Highway Safety

It is not considered that the addition of the extra caravan and extended amenity block would result in a significant increase in traffic movements from and to the site. Sufficient area remains within the site for vehicles to manoeuvre to enter and exit the site in forward gear. Highways have raised no objections and it is not considered that the proposal would have a detrimental impact on highway safety.

Conclusions

It is concluded that the site is well integrated into the built up area and into its social structure and generally accords with Local Plan policy GT1, especially as the site has now been established for a considerable time period of in excess of 10 years.

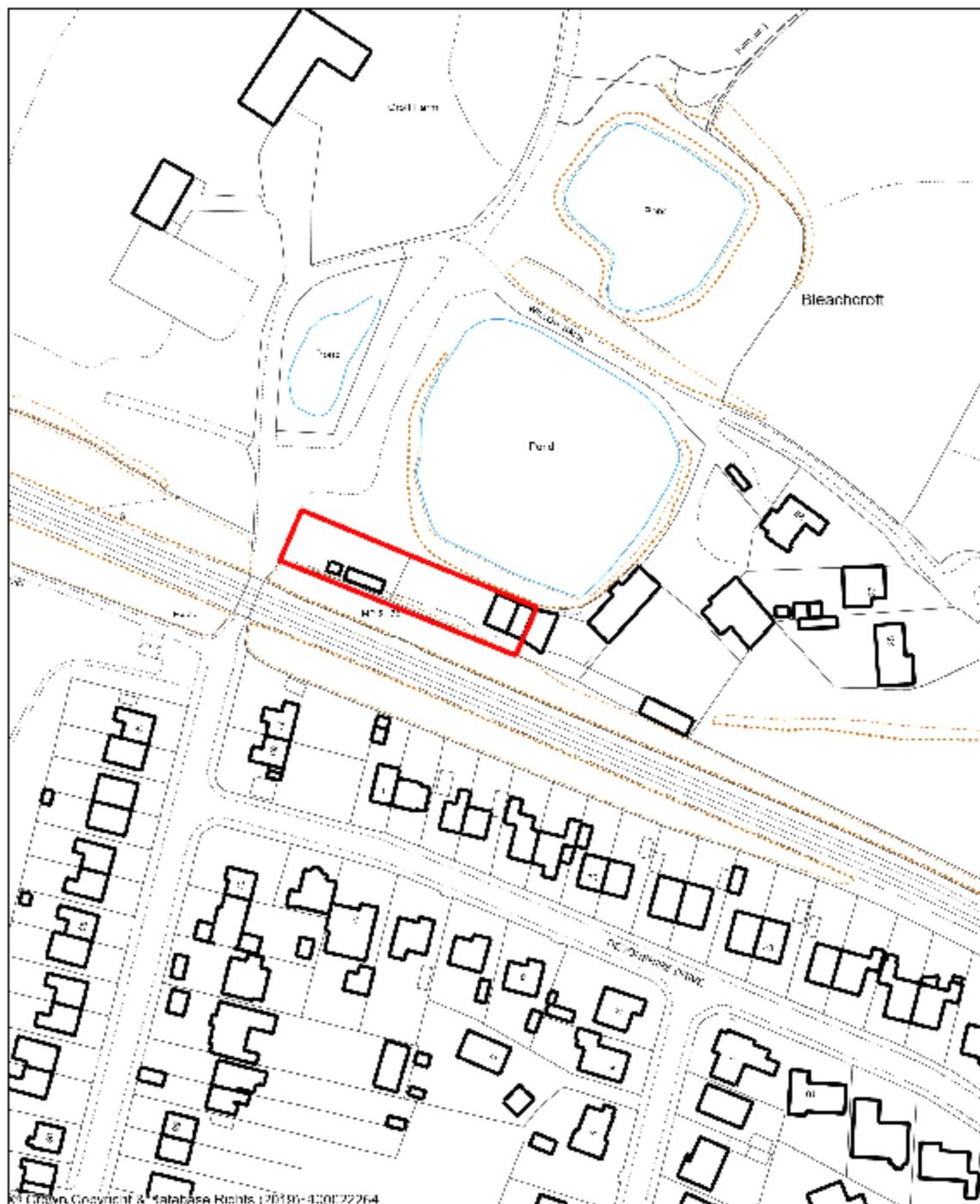
The additional static caravan and extension to the existing amenity building are considered exceptions under paragraph 145 of the NPPF and accord with the NPPF and Local Plan policy GB2 in that the openness of the Green Belt would be maintained.

Recommendation

Grant planning permission with conditions:-

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: In order to comply with the provision of Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby approved shall be carried out strictly in accordance with the plans (Nos MPM001-001, MPM001-003 & MPM001-004) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 3 No more than 3 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than two shall be static caravans) shall be stationed on the site at any time.
Reason: In the interests of the visual amenities of the Green Belt and in accordance with Local Plan policy GB1 & GB2 and the NPPF.
- 4 No commercial or industrial activities shall take place on the land, including the storage of materials, and no vehicles above 3.5 tons in weight shall be parked on the site.
Reason: In the interests of the residential amenities of nearby residents and the visual amenity of the Green Belt, in accordance with Local Plan policies GB1, GB2, D1 and GD1.

PA Reference:-



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Scale: 1:1250