



townsendplanning
consultants

PLANNING SUPPORT STATEMENT

**DETAILED APPLICATION FOR 4NO. DWELLINGS
FOLLOWING DEMOLITION OF EXISTING
HAULAGE BUILDINGS AND CEASING OF
HAULAGE YARD USE**

**BRETTON MILL FARM, HUDDERSFIELD ROAD,
HAIGH, BARNSELY, S75 4BX**

H BROOK AND SONS (BRETTON) LTD

JANUARY 2024

CONTENTS

- 1.0 INTRODUCTION

- 2.0 THE SITE, PROPOSAL AND PLANNING HISTORY

- 3.0 PLANNING POLICY
 - 3.1 Central Government Policy Advice – The National Planning Policy Framework
 - 3.2 Local Planning Policy
 - 3.2.1 LDF Site Specific Local Plan
 - 3.2.2 LDF Core Document
 - 3.2.3 LDF Development Policy Document

- 4.0 THE ISSUES
 - 4.1 The Development Plan
 - 4.2 Other Material Considerations
 - 4.2.1 Historic Use of the Site
 - 4.2.2 The Green Belt
 - 4.2.3 Visual Impact
 - 4.2.4 Bats
 - 4.2.5 Contamination
 - 4.2.6 Highways
 - 4.2.7 Flood Risk/Drainage Strategy
 - 4.2.8 Listed Building

- 5.0 CONCLUSION

1.0 INTRODUCTION

The proposal which forms the subject of this application for detailed planning permission relates to a site known as Bretton Mill Farm, Huddersfield Road, Haigh, Barnsley, S75 4BX. This proposal seeks detailed permission for the construction of 4No dwellings following the demolition of the existing haulage buildings and ceasing of the haulage yard use.

The following supporting documents/information is submitted with the application:-

- (i) Full layout and elevation plans – Parker Peel Architects;
- (ii) Planning Support Statement – Townsend Planning Consultants;
- (iii) Bat Report – Middleton Bell Ecological Consultancy;
- (iv) Phase I Contamination Report – ARP Associates;
- (v) Highways Report – Paragon Highways;
- (vi) Drainage Strategy – EWE Associates;
- (vii) Completed CIL forms;
- (viii) Copy of historic Haulage Licences: and
- (xi) Statement of Significance – Townsend Planning Consultants.

It is considered that this statement, together with the accompanying plans and documents, clearly demonstrate to the Council that the proposal accords with national and local planning policy and, when judged against this and all material considerations, it is clearly the case that notwithstanding the site's Green Belt status planning permission should be granted.

The site forms a longstanding haulage site. A haulage licence was first granted in 1975 and the use has been in place since that time and continues today. Currently the operator's licence is for 12 vehicles and 8 trailers. The use is longstanding and lawful by the passage of time (the 'ten year rule'). It is the applicants' intention to redevelop the site for small scale residential development following demolition of the haulage buildings as set out on the submitted plans.

It will be noted that in the context of the adopted NPPF, the site forms a brownfield site within the Green Belt. The significant reduction of the built form proposed is to the benefit of openness and, therefore, the proposal does not constitute inappropriate development. The scale of the proposal, which is significantly less in terms of volume, footprint and site area, ensures no harm to openness. As such, no "very special

circumstances” are necessary to justify the grant of planning permission.

It is acknowledged that the site is within the setting of a Grade II Listed Building (the former West Bretton Mill) which is now in residential use. The submitted Statement of Significance concludes that the proposal will be beneficial to the setting of the Listed Building.

This statement now proceeds to give details of the background to the site and its historic use. The details of the proposal are then set out. Relevant planning policy and central government advice in the form of the National Planning Policy Framework is then discussed. The issues that the proposal raises including Green Belt are also examined and finally the conclusion is reached that planning permission should be granted for the proposal to proceed. Nevertheless, the applicants remain willing to discuss all aspects of this proposal with the Council.

2.0 THE SITE AND THE PROPOSAL

Bretton Mill Farm forms a longstanding agricultural enterprise which has been operated by the applicant's family for in excess of 60 years. The farm holding extends to some 1000 acres or thereabouts and the current farming practice is mainly arable.

The operation of the haulage yard and buildings within the farm is longstanding and well established (the first operator's licence being granted in 1975). Since that time the site has been continuously utilised for haulage purposes and the current licence allows the site to operate on the basis of 12 vehicles and 8 trailers. The haulage use incorporates a large area within the farmyard which is utilised for haulage vehicle parking and storage. It also involves the use of 3No. buildings (as identified on the submitted plans).

The applicants have now determined to seek planning permission for the demolition of the haulage buildings to be replaced by small scale residential development.

It will be noted that adjacent to the site are two existing dwellings (the farmhouses within the holding) owned and occupied by the applicants. The new proposed dwellings will relate well to those existing properties. It will be noted that access to these dwellings is taken via the separate converted Bretton Mill access.

The proposal has been sensitively designed and is appropriate in scale, form and layout for this Green Belt location. It would be noted that the size of the dwellings proposed is significantly smaller than the size of the buildings to be removed:

Existing buildings (Excluding Silos)

Volume	3518.44 cubic metres
Footprint	979.33 square metres

Proposed Development

Volume	2940.53 cubic metres
Footprint	819.5 square metres

% Difference in Built Form of the Proposed to the Existing Development

Volume	84%
Footprint	58%

The dwellings will be generally located on the footprint of the existing buildings and haulage yard to be removed. Care has been taken to ensure that the residential curtilage is small in scale and is limited to that which constitutes existing hard surfaced haulage areas. Indeed, the development area of the proposed dwellings is much less than the current haulage use.

The design approach adopted has been to draw up proposals appropriate for the rural area and sympathetic to the existing historic farmhouses on site and in the context of the setting of the former mill, a Grade II Listed Building. A courtyard form of development is proposed which is considered to be appropriate for the site and this rural location.

It will be noted that as part of the proposal a new separate access is provided to serve the proposed dwelling houses and full details of this are set out in the submitted highway report.

It is clearly the case that the site constitutes brownfield land and by reference to government policy and guidance. It is contended, therefore, that this application falls to be judged in the context of the advice and policy with regard to brownfield sites within the Green Belt set out in the NPPF. In this instance as the site is a brownfield use. The proposal will not be harmful to the openness of the Green Belt. As such, 'very special circumstances' are not required to be demonstrated as the development would not constitute 'inappropriate' development. This proposal wholly complies with the adopted approach to brownfield sites in green belt.

It is acknowledged that the site is in the setting of the former Bretton Mill, a Grade II Listed Building. That building has been significantly changed in recent times when the site was converted to residential use. It is considered that the removal of the subject unsightly buildings to be replaced by sensitive residential dwellings will be benefit to the setting of the Listed Building (as set out in the Statement of Significance).

It is considered in the context of the Development Plan and all material considerations that the proposal is acceptable.

3.0 PLANNING POLICY

By virtue of Section 38 (6) of the Planning & Compulsory Purchase Act 2004, the planning authority must determine the planning application in accordance with the statutory development plan (insofar as it is material to the application), unless material considerations indicate otherwise. The NPPF also advises of a presumption in favour of development which accords with the development plan. The importance of the statutory development plan in the decision making process necessitates an examination of the relationship between the policies and proposals of the plan and government guidance.

3.1 Central Government Policy Advice – The National Planning Policy Framework

The following are comments on the advice in the Framework which is considered to be relevant to the consideration of the proposal:

- (i) Section 13 deals with Protecting Green Belt Land. At Para 147 it states:

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

Para 149 goes on to state:

“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

...(g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (except temporary buildings), which would:

- ***not have a greater impact on the openness than the existing development; or***
- ***not cause substantial harm to the openness of the Green Belt where the development would reuse previously developed land and contribute to the meeting and identified affordable housing need within the area of the local planning authority.”***

It is clear that this proposal will not have a greater impact on the openness of the Green Belt than the

existing development it seeks to replace. The built form of the proposed dwellings is significantly smaller in volume than the existing haulage buildings. As such, there is benefit to openness.

This proposal seeks to replace the existing haulage buildings with sensitively designed dwelling houses. The site constitutes a brownfield site and the dwellings have been designed and detailed to ensure no greater impact upon the openness of the Green Belt than the existing development. The proposed development is smaller in scale than the existing buildings to be removed. Therefore, no “very special circumstances” are required to justify the grant of planning permission as the proposal does not constitute inappropriate development. This proposal wholly conforms with the NPPF.

Section 16 of the NPPF relates to ‘Conserving and Enhancing the Historic Environment’. At Para 194 it states:

“In determining applications local planning authorities should require an applicant to describe the significance of any heritage assets affected including any contributions made by their setting. The level of detail should be proportionate to the asset’s importance and no more than is sufficient to understand the potential impact of the proposal and their significance.”

The application is supported by a detailed Heritage Statement (Statement of Significance).

The advice goes on to address schemes which are considered to have substantial or less than substantial harm to a heritage asset. In this instance it is considered that the proposal is of benefit to the setting of the heritage asset and no element of harm is raised in such terms.

3.2 Local Planning Policy

3.2.1 Local Development Framework – Site Specific Local Plan

It will be noted that the subject site is identified wholly within the Green Belt.

3.2.2 Local Development Framework Core Document

The following policies are considered relevant to the consideration of this application:-

(i) CS1 – Location of Development

The policy states amongst other things:-

“TO DELIVER THE SPATIAL DEVELOPMENT STRATEGY, BASED ON THE SETTLEMENT HIERARCHY THE BROAD SPATIAL FRAMEWORK FOR THE LOCATION AND SCALE OF DEVELOPMENT IS...

(F) IN THE GREEN BELT, DEVELOPMENT WILL CONFORM TO NATIONAL, REGIONAL AND LDF POLICIES RELATING TO THE GREEN BELT.”

(ii) CS3 – The Scale and Distribution of Additional Housing

This policy sets out where housing development will occur and sets out at subsection D that development in villages will be limited to 10no dwellings. However, it will be noted that the subject site does not fall within a village. At subsection F it states:-

“IN THE GREEN BELT HOUSING DEVELOPMENT WILL BE OF VERY LIMITED SCALE AND ONLY BE PERMITTED WHERE IT WILL CONFORM WITH NATIONAL GREEN BELT POLICY.” (TPC underlining)

Clearly, this policy was drafted before the NPPF and the fundamental change in the approach to brownfield sites in the Green Belt which is significant.

It has been demonstrated that the proposal does in fact conform to National Green Belt Policy and clearly that document supersedes the Council’s policies. It is considered that the redevelopment of the site as proposed offers benefit to the openness of the Green Belt.

(iii) CS10 – Design, Safety and Environmental Quality

The policy states amongst other things:-

“GOOD DESIGN IS A KEY ELEMENT IN SUSTAINABLE DEVELOPMENT. IMPROVING OUR PLACES THROUGH RAISING THE QUALITY OF THE BUILT ENVIRONMENT IS ONE OF THE

COMMUNITY STRATEGIES UNDERPINNING CHALLENGES AND ALSO A KEY PART OF URBAN RENAISSANCE.”

“A design lead approach will ensure that every proposal, whatever its scale, responds positively to the particular characteristics of a site and its surroundings and reinforces local distinctiveness and landscape character.

It is considered that the proposal conforms to the above policy.

(iv) Policy CS12

This defines the general approach to the definition of Green Belt.

3.2.3 Local Development Framework Plan Document

(i) Policy D14 – Access and Highway Safety

This proposal will not impact on highway issues as the new use will reduce traffic to and from the site.

(ii) Policy D15 – Safety and Security through Design

Full compliance with the Council's requirements in terms of safety and security will be incorporated which no doubt can be dealt with by the imposition of planning conditions.

It is considered that there is no conflict with development plan policy.

4.0 THE ISSUES

4.1 The Development Plan

The form of development proposed (i.e. the redevelopment of a brownfield site in the Green Belt) and national policy (the NPPF) towards such development has changed since the Development Plan was adopted.

As set out in the text of this statement, by reference to the NPPF such development is not considered to be “inappropriate” subject to a test on “openness”. It is clear that this proposal will not give rise to issues of harm in terms of the openness of the Green Belt. As such, no very special circumstances need to be demonstrated to justify development.

It has been demonstrated that the proposal conforms with national guidelines and, as such, it can be argued that there is no conflict with the Development Plan. The applicant is therefore entitled to the presumption inherent in Section 38(6) to be weighed in his favour.

4.2 Other Material Considerations

4.2.1 Historic Use of the Site

The site has operated continuously as a haulage yard since 1975, as it does today. The haulage use is well established and lawful by the passage of time (the ‘ten year rule’). Copies of the haulage licences for the site are submitted with this application. Owing to the historic use of the site, it is considered that it can be classed as brownfield, i.e. previously used by reference to the definition of brownfield land set out in the NPPF.

4.2.2 The Green Belt

This site constitutes brownfield development and in policy terms the proposal falls to be judged in the context of para 149(g) of the NPPF.

It is clear that this proposal wholly conforms with the tests set out in the NPPF. The proposal constitutes the redevelopment of a previously developed site (brownfield) and this is in a manner which would not

have a greater impact on the openness of the Green Belt than the existing development. By reference to the NPPF, clearly planning permission should be granted.

4.2.3 Visual Impact

In Green Belt terms, the proposal does not constitute inappropriate development. Following demolition of the haulage buildings and yard, this proposal for a small scale development will not harmfully impact on the openness, visual character and amenity of the Green Belt in this location. The proposed dwellings have been sensitively designed and are smaller than the existing built form of development on the site. The residential curtilage is limited to the existing hardstanding and indeed is much smaller in extent than the existing haulage yard.

4.2.4 Bats

A bat report is submitted with this application.

4.2.5 Contamination

A Phase I contamination report is submitted with this application.

4.2.6 Highways

A detailed highway report is submitted with this application. The proposal involves the formation of a new access to serve the proposal and existing dwellings, separately from the farm access. This new access is accessible in highway terms as demonstrated.

4.2.7 Flood Risk/Drainage

The site is within flood zone 1. The Environment Agency flood maps also show SW risk. A detailed drainage strategy demonstrates that the site can be satisfactorily drained.

4.2.8 Listed Building – Setting

It is fully acknowledged that the site is in close proximity to a Grade II former Listed mill. It is considered

that the removal of the existing buildings replaced by sensitively designed development will enhance the setting of the heritage asset, as set out in the submitted Heritage Statement.

5.0 CONCLUSION

This application seeks the development of 4No residential dwellings on this long established commercial haulage site following demolition of the existing haulage buildings. The use of the site as a haulage site means that the site constitutes brownfield development. The proposal passes the test of openness in that the scale of the buildings to be removed is greater than the scale of the buildings to be built in replacement. The overall site area is also less than the current haulage yard. By reference to the NPPF, the proposal does not, therefore, constitute inappropriate development and as such no 'very special circumstances' need to be demonstrated to justify the development.

It has been demonstrated in the submitted text that the proposal wholly conforms to the development and, as a consequence, the applicants consider that they are entitled to the presumption inherent in Section 38(6) to be weighed in their favour. It is considered that in the context of all other material considerations the proposal is acceptable. Nevertheless, the applicants remain willing to discuss all aspects of the proposal.