

# Rotherham local plan

## Supplementary Planning Document No.3 Development in the Green Belt



July 2023

## Development in the Green Belt

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## Introduction

This guidance has been prepared to assist applicants when preparing planning applications for land or buildings within the Green Belt. It explains our policy on developments in Green Belts and how the Council will assess proposals for particular types of development.

**1** There are specific reasons for including land within the Green Belt, such as to prevent towns and settlements from spreading into the countryside (urban sprawl). This is achieved by restricting the type of development that can be built in Green Belts.

### Status

**2** This Supplementary Planning Document (SPD) has been prepared in line with national planning policy and relevant legislation and regulations. The National Planning Policy Framework (NPPF) identifies that SPD add further detail and guidance to the policies in the development plan. They are capable of being a material consideration in planning decisions.

**3** As required by The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) consultation on the revision of this SPD is taking place between 12 September and 17 October 2022. The accompanying Consultation Statement sets out further detail on this consultation, including who was consulted, a summary of the main issues raised and how these have been addressed in the SPD. It also contains an adoption statement, confirming that this SPD was adopted by Rotherham Council.

## Planning Policy

### National planning policy

**4** National policy on Green Belts is contained within the National Planning Policy Framework (NPPF) which sets out what developments are appropriate. Any other form of development is inappropriate and will only be allowed in very special circumstances. These circumstances 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. Developments should also have minimal impact on the openness of the Green Belt. The NPPF notes that the most important attribute of Green Belts is their openness.

**5** The NPPF makes clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, creating better places in which to live and work and helping make development acceptable to communities (paragraph 126).

**6** Design quality should be considered throughout the evolution and assessment of proposals. NPPF (paragraph 130) also states that development should, amongst other things:

- add to the overall quality of the area;
- be visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- be sympathetic to local character and history, including the surrounding built environment and landscape setting; and
- create places that are safe, inclusive and accessible and which promote health and wellbeing.

## Appropriate and inappropriate development

NPPF provides guidance on the types of development that are appropriate in the Green Belt:

Paragraph 149: 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

Paragraph 150: Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a. mineral extraction;
- b. engineering operations;
- c. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d. the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f. development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

**7** It should be noted that this does not include new detached outbuildings (such as detached garages at residential properties) or boundary walls/fences.

## Local planning policy

**8** Rotherham's Local Plan consists of the Core Strategy (adopted in September 2014) and the Sites and Policies Document (adopted in June 2018), alongside the Barnsley, Doncaster and Rotherham Joint Waste Plan (adopted in March 2012). These are available from our website: <https://www.rotherham.gov.uk/localplan>

**9** This guidance provides additional detail to, and should be read in conjunction with, the following policies:

CS4 Green Belt	which confirms that land within the Rotherham Green Belt will be protected from inappropriate development.
CS9 Transforming Rotherham's Economy	which supports a range of measures to improve economic performance, including rural farm diversification.
CS28 Sustainable Design	which sets out a range of design considerations to which proposals should have regard.
SP2 Development in the Green Belt	which set out more detailed general guidance relevant to proposals within the Green Belt.
SP3 Rural Workers Dwellings in the Green Belt	which will be relevant to proposals which seek to provide accommodation for rural workers.
SP4 Extensions to Buildings in the Green Belt	which sets out specific guidance relevant to proposed extensions.
SP5 Alternative Uses for Buildings within the Green Belt	which will be relevant to proposals seeking to deliver a change of use or conversion of existing buildings.
SP6 Replacement Buildings in the Green Belt	which sets out policy specific to proposals seeking to replace existing buildings.
SP7 New Agricultural or Forestry Buildings or Structures in the Green Belt	which sets out how new agricultural or forestry related developments will be considered.
SP8 Infilling Development within the Green Belt	which provides policy guidance for infill of developments within Green Belt villages.
SP9 Previously Developed Sites within the Green Belt	which will be relevant to proposals on previously developed (i.e. brownfield) land.
SP10 Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt	which sets out the Council's policy on the provision of new outdoor sport, outdoor recreation and cemeteries.
SP55 Design Principles	which sets out detailed design principles to which proposals should have regard.

## General Guidance

### Green Belt guidance 1

Any development in the Green Belt should have a minimal effect on the openness and appearance of the Green Belt. The physical effect buildings and structures have on the Green Belt depends on factors A to E listed below. By considering each of these factors, the physical effect a development has on the Green Belt can be reduced.

#### A. Size

**10** The size of a building or structure, which should be thought of in terms of its total volume, should be kept to the minimum size necessary for meeting appropriate needs.

#### B. Design

**11** New buildings and structures must not stand out too much. Materials, colours, construction methods and building styles should fit in with the traditional building styles of the area, and should not form a prominent feature in the landscape.

#### C. Position and screening of the development

**12** New developments should be placed where they have least effect on the landscape, avoiding prominent locations, and should use structures, individual buildings or groups of buildings as screening where appropriate. If the proposal is unacceptable because of its size, design or position, it would not be acceptable to mitigate by planting trees as screening.

#### D. Enclosures

**13** Any enclosure (wall, fence, hedge, and so on) should be the minimum size necessary and should be appropriate to its location in terms of materials and style. It is preferable to plant a hedge of native species (for example, hawthorn) rather than to use fences or walls which give a built-up appearance to an area. Fences and walls may be acceptable within settlements that have a tradition of using them instead of hedges.

#### E. Lighting

**14** The Council will not allow proposals for floodlighting in the Green Belt unless it can be demonstrated the lighting will not detract from the character of the Green Belt. (Lighting can detract from the character and openness of the Green Belt through 'light spillage', 'light glare' and 'sky glow' - see appendix 2.) These effects can be reduced or removed by using a lower strength light source and a cover which surrounds light to focus light onto a specific area.

## Development

### Extensions to Existing Buildings

**15** This section provides guidance on extensions to all types of buildings, including outbuildings such as residential garages. To extend a building in the Green Belt, the principles laid out in this guidance note should be followed.

#### Green Belt guidance 2

An extension should not exceed more than 33% of the volume of the original building.

*Key policy reference: SP4 Extensions to buildings in the Green Belt*

**16** The NPPF (at paragraph 149) states that limited extensions of existing buildings can be acceptable if they do not result in 'disproportionate additions over and above the size of the original building'.

**17** The NPPF defines 'Original building' as: "A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was originally built." There are two sub-categories of original building:

- a) Main building: building that serves the main function of the site, such as a dwelling or a barn
- b) Secondary building: building that was constructed at the same time as the main building, such as a detached garage or a storage building

For clarity in this SPD, the Council defines 'outbuilding' as 'detached building that was constructed after the original building'.

Section 336 of the 1990 Act defines "building" as including "any structure or erection, and any part of a building, as so defined but does not include plant or machinery comprised in a building".

**18** The Council will take account of the degree to which the building has already been extended, and the effect of any further extension. Several factors, such as the design, form and size of the extension, should be considered.

**19** Any secondary building (built at the same time as the original (main) building, or if in existence prior to 1 July 1948) that is within 5 metres of the main building will be counted as part of the volume of the original building. As such, it will not be afforded its own 33% extension 'limit' as any extension to it would be considered as part of the overall volume of the main building and all secondary buildings within 5 metres. Any secondary building to be considered should be of permanent and substantial construction.

**20** Having regard to the Warwick District Council v Secretary of State (Eyre J, 12 August 2022) , any secondary building that is more than 5 metres from the main building maybe counted as part of the volume of the original building. Each case would be considered on its own merit. Similarly, any outbuilding that is more than 5 metres from the original building maybe counted towards the overall volume of the original building.

**21** Any outbuilding (or extension to that outbuilding) within 5 metres of the original building will count towards the 33% limit.

**22** It is very likely that once the building has been extended by more than 33% of its original volume, any further increase in volume would have an adverse effect on the Green Belt. Such an increase would constitute a 'disproportionate' extension and therefore represent inappropriate development. The 'very special circumstances' needs to be demonstrated if the proposal extends by more than this. Even if the volume of the proposed extension stays within 33%, the size, form and materials of the extension must also be appropriate to the original building and its setting. Details of how to work out the volume of a building are given in Appendix 1.

**23** Extensions must be compact and fit in with, rather than take over, the original building. It may be preferable to fill in space between existing parts of it rather than to extend beyond its footprint. Avoid extensions that increase the length of the building's longest side. When considering the proposal, the Council will also take account of the extension's effect on the character and appearance of the surrounding area. An extension which may be acceptable in an existing housing development may not be so in the open countryside.

**24** For large-scale proposals, particularly those in the open countryside, the Council will take account of the intended purpose of the extension. If the proposal is to bring an unimproved small home up to modern standards, this may represent a 'very special circumstance' to justify an extension over and above the 33% limit. A further example of a very special circumstance to justify an increase of more than 33% could be where the proposal would remove lawful outbuildings (providing they are of permanent and substantial construction) which harm the openness of the Green Belt, unless they would have to be removed as a consequence of the proposed development when no allowance would be made.

**25** It may be possible to allow an extension greater than 33% of the volume of the original building if the outbuilding to be removed as a consequence of the development is greater than 33% of the volume of the original building itself and the resultant extension is no larger than the outbuilding or extension that it is replacing.

**26** If planning permission is granted for an extension greater than 33% of the volume of the original building because of the removal of outbuildings, it is likely that the Council will also remove permitted development allowances for both further extensions and outbuildings.

**27** In addition, the Council is also likely to remove permitted development rights where the extension(s) results in a volume increase in excess of 20% of the original volume in order that subsequent extensions can be adequately controlled.

**28** Proposals for new outbuildings that are not considered to be extensions to the original building, will be considered on their own merits.

**29** Generally, all extensions should satisfy the following criteria:

- together with all previous extensions be subsidiary to the original building, not dominate, and be sympathetic in terms of size, scale and design;
- have a minimal visual impact on the local setting and amenity;
- involve minimal intensification and urbanisation of the site; and
- be sympathetic in architectural design in relation to the original building.

### **Creating extra units of accommodation**

**30** Applicants should be mindful that an extension should not be seen as a way of getting planning permission for a separate home (which would not be allowed under Green Belt policy). A proposed extension should not, by itself, or together with any existing dwelling, create a building which would be readily capable of conversion into more than one dwelling, or which would facilitate the future formation of a separate residential curtilage. Under such circumstances the Council will treat it in the same way as an applications for a new home.

## Replacement Buildings

### Green Belt guidance 3

A replacement building should not exceed more than 10% of the volume of the existing building.

*Key policy reference: SP6 Replacement Buildings in the Green Belt*

**31** The NPPF (paragraph 149) states that the replacement of buildings (including dwellings) in the Green Belt is not inappropriate provided that the replacement building is not materially larger than the existing building (including any extensions) and is in the same use.

**32** Policy SP6 establishes that the Council considers that an increase in excess of 10% of the volume of the existing building would make the replacement building materially larger and, therefore, inappropriate development in the Green Belt and the very special circumstances is required to justify it. An example of a very special circumstance to justify an increase of more than 10% could be where the proposal would remove lawful outbuildings within the curtilage of the building which spoil the openness of the Green Belt. Any outbuilding to be considered should be of permanent and substantial construction.

**33** If planning permission is granted for a replacement building greater than 10% of the volume of the existing building because of the removal of outbuildings, it is likely that the Council will also remove permitted development allowances.

- If the outbuildings were within 5m of the original building, permitted development is likely to be removed for further extensions, and also possibly for outbuildings.
- If the outbuildings were more than 5m away from the original building, it is likely that the Council would remove permitted development allowances for further extensions AND outbuildings.

**34** Any secondary building that is within 5 metres of the existing (main) building will be counted as part of the volume of the original building. As such, it will not be afforded its own 10% replacement volume 'limit' as any replacement building would be considered as part of the overall volume of the existing main building and all existing secondary buildings within 5 metres. Any secondary building to be considered should be of permanent and substantial construction.

**35** Having regard to the Warwick District Council v Secretary of State (Eyre J, 12 August 2022), any secondary building that is more than 5 metres from the main building maybe counted as part of the volume of the original building. Each case would be considered on its own merit. Similarly, any outbuilding that is more than 5 metres from the original building maybe counted towards the overall volume of the original building.

**36** Where larger replacement buildings are accepted, permitted development rights are likely to be removed in order that future extensions can be controlled so as to minimise the impact on the openness of the Green Belt. Any subsequent application for an extension to a replacement building will be judged on the volume of the building that it replaced, as originally built, for the purposes of judging whether it is disproportionate or not.

**37** The Council will grant planning permission for replacement buildings only if the proposal meets factors (a) to (e) listed in the Green Belt guidance 1 section of this guidance note, relevant local and national planning policies and the following criteria:

- both the building to be replaced and its curtilage must be lawful;
- the building must not be materially larger than what it is replacing;
- replacement buildings must not be significantly more visible and stand out more than the existing buildings;
- plans of the existing building and calculations of the increase in volume of the replacement building should be submitted with the application;
- replacing a temporary building (such as a caravan) with a permanent structure would not be permitted;
- replacing a building converted from a traditional local building (such as a barn) with a more modern structure would affect the character of the Green Belt and it would not be allowed.

**38** If the building that is planning to be replaced by the proposed development has already been demolished or has not been used for a long period (and is considered to be 'abandoned'), its use will have ceased and a planning application for a new building will be necessary. It is unlikely under such circumstances that planning permission would be granted.

**39** It should be noted that the replacement of a building does not allow for a change of use and the new building should be used for the same purpose as the original building. Where such a change is proposed, this would result in inappropriate development and 'very special circumstances' would need to be demonstrated.

**40** Any replacement building must be for the same use as the original and the Local Planning Authority are unlikely to support any applications for a change of use of a replacement building to residential purposes within a period of 10 years from its substantial completion. The replacement of a residential outbuilding with a separate dwelling would constitute a material change of use, and as such would represent inappropriate development.

## Infill Dwellings in Green Belt villages

### Green Belt guidance 4

Limited infilling which can demonstrate that it will not erode the character of the area may be acceptable in the villages listed in Policy SP8 Infilling Development within the Green Belt. This policy defines infilling as the filling of a small gap in an otherwise built up frontage, and defines a small gap as a gap which fronts onto a highway and has a width less than 20 metres between the existing buildings.

*Key policy reference: SP8 Infilling Development within the Green Belt*

**41** This relates to the development of a single dwelling and the filling in of a small gap between an otherwise built up frontage. Any proposals for such development should be discussed with the Local Planning Authority before the submission of a planning application.

**42** In accordance with paragraph 149(g) of the NPPF the limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) is also not considered to be inappropriate development providing it would not have a greater impact on the openness of the Green Belt, or, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need, not cause substantial harm to the openness of the Green Belt.

**43** The Green Belt villages to which Policy SP8 and the guidance above applies are:

- Brampton-en-le-Morthen;
- Firbeck;
- Gildingwells;
- Hooton Levitt;
- Hooton Roberts;
- Letwell;
- Ravenfield;
- Thorpe Salvin;
- Ulley; and
- Wentworth

**44** Figure 1 'Example of an infill gap' below illustrates the features of an infill gap, showing that these are gaps in an otherwise built up frontage which fronts onto a highway and has a width less than 20m between the existing buildings.

Figure 1 Example of an infill gap



## Converting Existing Buildings

### Green Belt guidance 5

The conversion of an existing building is acceptable in principle providing the proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land within it, the re-use of buildings is not inappropriate development, provided that the buildings are of permanent and substantial construction.

*Key policy reference: SP5 Alternative Uses for Buildings within the Green Belt*

- 45** For a building to be of permanent and substantial construction it must have walls and a roof, be structurally sound and not require significant re-building, cladding or significant external alterations. This would also include a building that would require significant internal alterations to bring it up to habitable standards unless it is desirable to retain the building in its current form because of the historic value or visual amenity that it provides.
- 46** Whilst the conversion of a rural building is acceptable in principle, it is important that certain design principles and other issues are considered. This supplementary design guidance reviews the conservation and technical issues that arise when traditional vernacular buildings are re-used. Most buildings in this category are agricultural but this guidance applies overall.
- 47** The Council supports the appropriate re-use of vernacular buildings for a range of end uses but will specifically welcome conversion schemes to a commercial end use to support prosperous rural economies, and which involve minimal alterations to the building's character and/or appearance. Residential conversions entail the most demanding changes to a building and will require careful assessment as to the impact and appropriateness of such changes. The proposed 'curtilage' to the converted building should be clearly defined and kept to a minimum.
- 48** The conversion of a residential outbuilding to a separate dwelling will require planning permission and the applicant will need to demonstrate the sustainability impacts of creating a new dwelling in what may be an isolated location, and demonstrate how the development would not lead to a greater impact on the openness of the Green Belt through the increase in traffic / parking at the site and of general domestic paraphernalia. The Council will be sympathetic where the outbuilding to be converted has some architectural or historic interest.
- 49** The conversion of a building to a residential use will result in a new planning 'unit' with its own defined 'curtilage' benefiting from permitted development rights. As such, conversions to residential use will generally result in the removal of permitted development rights for both outbuildings and extensions as these could have a significant impact on the openness of the Green Belt, which is a major factor in determining whether the change of use is acceptable in the first place.
- 50** The following advice outlines the criteria and requirements that will need to be met to enable successful building conversions within Rotherham's Green Belt.

## Survey

**51** An application for building conversion will require an assessment of the historical development of the site, a full measured survey and a structural survey including a condition survey.

**52** Many vernacular buildings suffer structural defects through neglect. In older buildings the construction techniques themselves can cause problems, for example, inadequate foundations, the absence of damp-proofing and cavity walls.

**53** The condition and structural survey should be carried out by an appropriately qualified person and include:

- i. a general description of the building(s) and the age of any original building(s);
- ii. a description of the condition, structural integrity, foundations, walls, dampproofing, joinery, timbers, roof structure and roof covering;
- iii. an assessment of the repairs needed to ensure conversion;
- iv. an assessment of any structural work and other alterations necessary to implement the proposed conversion;
- v. areas of demolition and rebuild, underpinning etc. illustrated on appropriate plans and elevations (or photographs), and;
- vi. an opinion on the physical suitability of the building(s) for the proposed conversion.

**54** When structural works are necessary to allow for conversion, proposals should be submitted to rectify the faults. Proposals should minimise the amount of demolition and rebuilding. For example, underpinnings will be preferable to demolition and rebuild, to ensure foundation support.

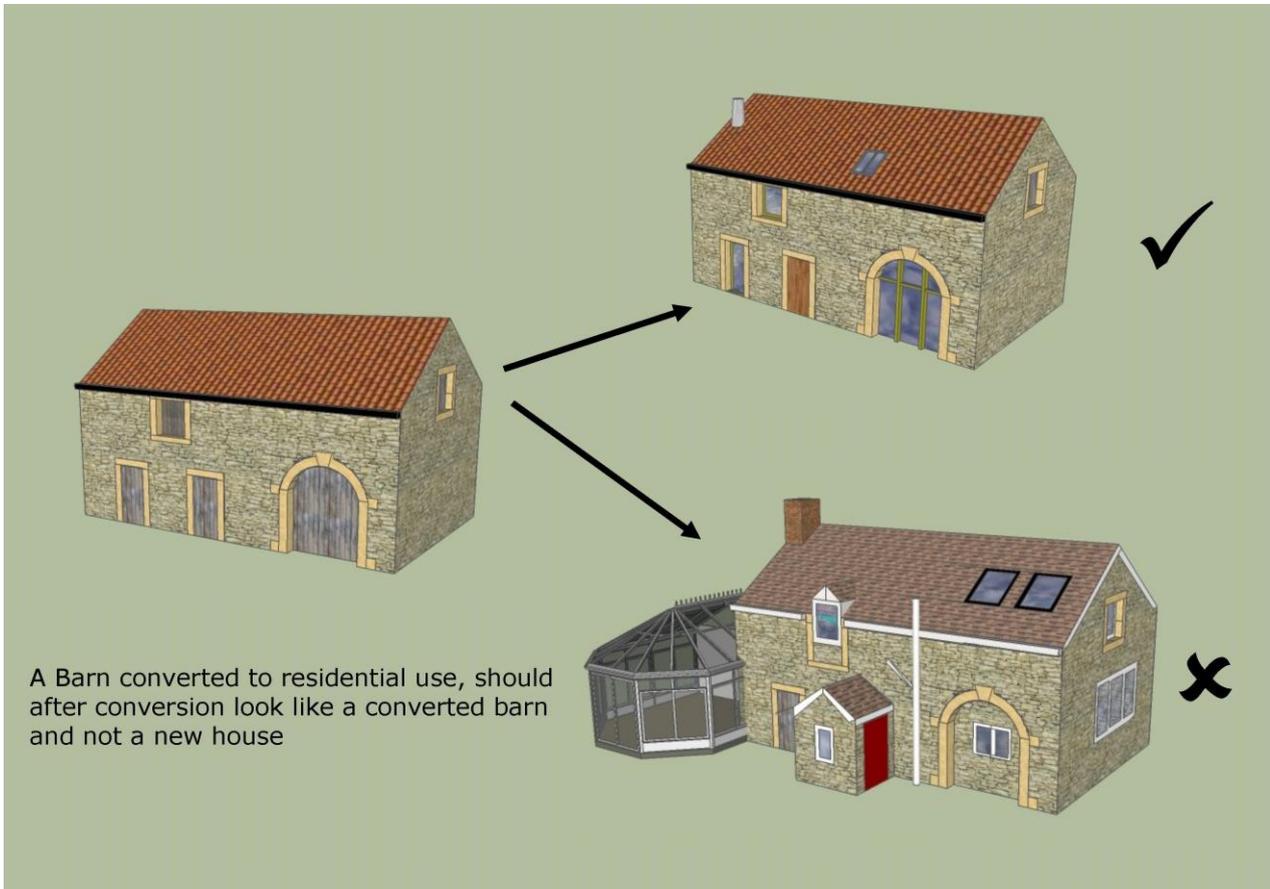
**55** Farm buildings, and in particular older farm buildings, may contain animals and birds protected under the 1981 Wildlife and Countryside Act and The Conservation of Habitats and Species Regulations 2017. Examples include bats, Schedule 1 bird species including barn owls and nesting birds. As part of any conversion, it may be necessary to provide suitable areas for the protected species concerned to ensure their favourable conservation status. Early surveys (undertaken by a suitably qualified and experienced professional ecologist) to identify any potential ecology considerations is recommended due to survey seasons and potential mitigation lead-in time. The Council's Ecological Development Officer will be able to advise more specifically.

## Design considerations

**56** The successful conversion will take account of and respect the style and detail of the building(s), bring out the character, retain and re-use features and retain and use the existing spatial qualities of the interior. The applicant will need to liaise with the Planning Department to ensure the full statutory approvals are applied for and granted. The introduction of new window openings into an existing vernacular building will usually harm the character and appearance of the building and should be avoided where possible.

**57** Figure 2 'Barn conversion example' shows how, for example, a barn conversion should, after conversion, look like a converted barn rather than a new house.

**Figure 2 Barn conversion example**



## Setting

**58** The setting of a vernacular rural building is a very important asset. The farmyard area can become cluttered with elements of general commercial or domestic living. For example yards can be divided by fences or walls and inappropriate external lighting used, all of which will have a detrimental effect on the building's setting.

**59** A large uncluttered yard with existing stone setts should be retained if possible. It should not be subdivided by fences or hedges or cluttered or marked out parking bays. Boundary markings can be subtly achieved by using bricks or setts flush into the yard. Cart sheds, where they exist, are more suitable for the accommodation of vehicles than forming part of the ancillary accommodation of the conversion. Preferably they should not be closed with garage doors.

**60** To protect the setting and to control further changes to the building, when granting planning permission for change of use to residential, the Council often removes all or some Permitted Development Rights. In all types of conversions the Council will also apply planning conditions to ensure that the conversion works are appropriate and use suitable materials. Those conditions that cannot be applied under planning legislation may, in some cases, be made in a legal agreement between the Council and applicant to ensure the appropriate conversion details.

**61** Farm buildings are usually large and functional. Their robust design should enable all the functions of the new use to be contained within the existing buildings. The Council is likely to be critical of a conversion that requires any extension to facilitate the end-use. This will be especially enforced in any proposals affecting a Listed Building. The curtilage, or surrounding area, may contain features such as stone setts or stone walls. These features add to and define the character of the building and should be preserved.

## **Roofs**

**62** Roofs are large unbroken slopes. This important characteristic should be respected in conversion proposals.

**63** In the east and south of the Borough, roofs are usually covered with hand-made clay tiles, laid on pine slats resting on main trusses of oak. However, roof trusses can be constructed in other timbers and many have been repaired with softwood timber.

**64** Older barns may have a stone flag roof, laid in diminishing courses which should be preserved. Larger stone flags are usually laid to two or three courses at eaves level. This ensures that the roof over-sails the wall-plate and wall-head and remains watertight. Where it remains, this feature should be preserved. The total renewal of roof coverings will be resisted unless the covering is an original or vernacular material.

**65** Domestic features such as dormer windows and chimneys should be avoided and are unlikely to be supported. Roof lights, set into the roof slope, may be appropriate on the private side of the building to light upper rooms.

**66** Ridge lines usually show slight undulations. This is not necessarily a sign of structural weakness and it is not necessary to rebuild the roof to strengthen the ridge.

## **Openings**

**67** Existing openings should be retained in their current form; widening or blocking is not usually appropriate. Any remaining timber windows should be retained, with new timber "scarfed in" to repair rot or damage. All openings should be set in reveals of a minimum 150mm. New openings should be avoided if possible, but any that are proposed should be the minimum and match the proportions and random distribution of existing openings. The windows should preferably be constructed of wood, have glazing bars to match the existing and may be painted or stained. Threshing doors provide an opportunity to light the whole height of the building if used appropriately.

**68** Doors should be simple timber plank, ledged and braced if no existing doors remain. It may be acceptable to glaze the upper portions of the doors. Any remaining doors in openings to be used as windows may be used as external shutters.

## Rainwater goods

**69** All rainwater goods should be of a simple profile and preferably made of cast iron or painted aluminium.

**70** Listed Buildings may not have guttering and downcomers and it may be appropriate to leave them without if the building is not suffering as a result. The design should be simple, gutters crossing gables avoided and the downcomers be as few as possible in areas they least affect the buildings character.

## Heating

**71** Chimneys should be avoided as they are not usually a vernacular barn feature, are domestic in appearance and break the roof line. Metal flues of a neutral colour may be acceptable within the roof slope on the private side of the building. A specialist heating engineer should be consulted at an early stage in the design process to advise on the most appropriate heating solutions. Older buildings will suffer if high levels of dry heat, such as modern central heating are used, as the timbers and walls are designed to absorb water and release it in an open air environment.

## Interiors

**72** Threshing barns had few partitions and space is an important component to retain. Rooms may be larger than 'standard' to accommodate this and the limited number of openings. This will influence the number of units a building can accommodate. In farm buildings totally or partially open to the roof, at least one bay should remain so.

## Fabric repairs

**73** Repairs to walls can be inappropriate and totally change the character of the building. Many red sandstone or yellow limestone repairs need careful consideration. Any mortar should be sacrificial and weather faster than the surrounding stone to ensure the face of the stone remains intact. The mortar should be lime rich to allow movement and the moisture accumulation and evaporation usual in old stone buildings. Ribbon pointing should be avoided as it is not a vernacular form in the Borough and is damaging to the surrounding stone.

**74** Vernacular farm buildings are well used, with the patina of age forming a significant part of their character. Stone replacement and redressing should be minimised. A matching second hand stone should be used to replace a damaged stone. 'Plastic repair' should be avoided. Stone cleaning is not desirable for farm buildings and would detrimentally affect the character of the building and its setting within the landscape.

## Change of Use of Land

### Green Belt guidance 6

Planning applications to change the way land is used will need to show that the openness of the Green Belt will not be affected and there is no conflict with the reason the land was made part of the Green Belt. They shall also comply with local and national policy which establishes that inappropriate development should not be approved except in very special circumstances, and that '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.

While the construction of new buildings for limited infilling or the partial or complete redevelopment of previously developed land (whether redundant or in continuing use, excluding temporary buildings) is not considered to be inappropriate in the Green Belt in the NPPF (1), any planning application should demonstrate that the proposed development 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.

*Key policy reference: SP2 Development in the Green Belt; SP10 Proposals for Outdoor Sports, Outdoor Recreation and Cemeteries in the Green Belt*

### Extending gardens beyond property boundaries

**75** The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that one of the five purposes of the Green Belt is to safeguard the countryside from encroachment. Whilst a planning condition could be attached to any application for garden extensions (either into the Green Belt, or to a property within the Green Belt) that would remove permitted development rights (such that no outbuildings could be built on the land) this would not control other structures that do not constitute development. As such, it is considered that the change of use to residential garden constitutes inappropriate development and very special circumstances would have to be demonstrated to justify such development.

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1 paragraph 149(g) of the NPPF (2021)

## Agriculture and Forestry

### Green Belt guidance 7

Proposals should have regard to the guidance below where they involve:

- applications for new agricultural or forestry buildings or structures;
- applications for a new rural worker's home;
- diversifying a farming business;
- farm shops;
- economic diversification in rural areas.

*Key policy references: SP3 Rural Workers Dwellings in the Green Belt; SP7 New Agricultural or Forestry Buildings and Structures in the Green Belt; CS9 Transforming Rotherham's Economy*

### Applications for new agricultural or forestry buildings or structures

**76** Any new agricultural or forestry building or structure must be needed, designed and constructed only for agricultural or forestry purposes. This prevents the building of property which is intended to be converted (for example, into a home). In accordance with Part 6 the General Permitted Development Order, and Policy SP7 New Agricultural or Forestry Buildings and Structures in the Green Belt, any new building not used for agriculture within 10 years should be removed, and this could be controlled by way of a planning condition or S106 Legal Agreement. In addition, it should be commensurate in size to the agricultural use of the land.

### Applications for a new rural worker's home

**77** Green Belt land in Rotherham is never far from a built-up area where there is a considerable supply of housing. For this reason, planning permission for a rural worker's home in the Green Belt would only be granted in very special circumstances.

**78** The NPPF (at paragraph 80) makes clear that isolated new houses in the countryside require special justification for planning permission to be granted. One of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural, forestry and certain other full-time rural workers to live at, or in the immediate vicinity of, their place of work (see Policy SP3 Rural Workers Dwellings in the Green Belt). It will often be as convenient and more sustainable for such workers to live in nearby towns or villages, or suitable existing dwellings, so avoiding new and potentially intrusive development in the countryside. However, there will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close to, the site of their work. Whether this is essential in any particular case will depend on the needs of the enterprise concerned and not on the personal preferences or circumstances of any of the individuals involved.

**79** It is essential that all applications for planning permission for new occupational dwellings in the countryside are scrutinised thoroughly with the aim of detecting attempts to abuse (e.g. through speculative proposals) the concession that the planning system makes for such dwellings. In particular,

it will be important to establish whether the stated intentions to engage in farming, forestry or any other rural-based enterprise, are genuine, are reasonably likely to materialise and are capable of being sustained for a reasonable period of time. It will also be important to establish that the needs of the intended enterprise require one or more of the people engaged in it to live nearby.

**80** It will therefore be necessary to demonstrate a functional need for the dwelling and that the business which it supports is financially stable to justify a permanent dwelling. Where the dwelling is to support a new business venture, it may be more appropriate to provide temporary accommodation in the short term until the business is established and the need for a permanent dwelling proven.

### **Conditions**

**81** If planning permission is granted for a permanent home, the Council will remove permitted development rights for further extensions to, and new buildings within the curtilage (the small area forming part or parcel of the home or building within which it is contained or to which it is attached) of the agricultural or forestry worker's home. This is to make sure that further development cannot reduce the openness of the Green Belt.

**82** The Council will also apply an 'occupancy condition' to state that the home can be lived in only by a rural worker in the area, or such a person's widow, widower or dependents.

### **Removing the occupancy condition**

**83** The Council may remove the occupancy condition explained above only if it can demonstrate:

- the worker no longer needs to live close to the relevant activity (in which case justification and reason would be required); and
- there is no demand for a rural worker's home in the area. In this case, the rural worker's home must have been put up for sale with a land agent, at a price agreed with us that takes account of the occupancy condition, for at least 12 months and have received no reasonable offer. Adverts should have been placed regularly in local newspapers and agricultural publications. Written proof in the form of invoices for adverts would be required and correspondence with land agents, valuers (to ensure valuation is undertaken in accordance with a recognised valuation standard and the sale price has been set reasonably), interested parties, and so on.

### **Diversifying a farming business**

**84** In accordance with chapter 6 of the NPPF, 'Supporting a prosperous rural economy', the Council recognises that farm businesses may need to diversify (move into other business activities) in rural areas to bring about benefits such as protecting or creating jobs, reusing buildings that might otherwise become derelict, and supporting other rural businesses. Diversification can take a variety of forms from setting up a farm shop to using farmland for leisure. Policy CS9 Transforming Rotherham's Economy supports rural farm diversification proposals where they are modest in scale, additional to the main agricultural / farm use and re-use existing buildings wherever possible.

**85** The Council will allow existing buildings to be re-used for other purposes as long as the use does not have a significantly greater effect than the present use on the openness of the Green Belt, and does not conflict with the purposes of including land within it. The same two conditions apply

for making any significant change in the use of land. Diversification will not justify activities that harm the openness or purposes of the Green Belt or the attractiveness of the area.

### **Farm shops**

**86** Planning permission would not be required to sell unprocessed goods produced on the farm, and a minimal amount of other related goods, from the farm. Farm shops play an important role in providing fresh produce to local people, and are a good example of diversification. However, planning permission would be required to sell produce which have not produced on site (within the farm).

### **Economic diversification in rural areas**

**87** Economic diversification in rural areas is different from farm diversification. It relates to the creation of new businesses not directly related to farming. As no part of the Green Belt in Rotherham is far away from a built-up area, and there is a significant amount of vacant industrial land and industrial properties available for use, there are ample opportunities for new businesses to be set up within built-up areas. Economic diversification in rural areas is not sufficient reason for needing new buildings for a new non-agricultural business in the Green Belt. Even before considering Green Belt issues, non-agricultural businesses are often better suited to a built-up area because they have better public-transport links, they promote development on land that has been built on before and they are closer to a greater number of potential customer, workers and supporting services.

## Equestrian Development

### Green Belt guidance 8

Proposals should have regard to the guidance below where they relate to equestrian development and any associated change of use of land.

*Key policy reference: SP10 Proposals for Outdoor Sport, Outdoor Recreation and Cemeteries in the Green Belt*

**88** The grazing of horses on agricultural land does not constitute a material change from a former agricultural use. Land can be used for grazing, if horses are turned onto it with the primary purpose of feeding them from it, but not if they are kept on it for some other purpose (such as exercise or recreation) when grazing is seen as completely incidental and inevitable. To be classed as 'grazing land' at least 0.5 hectares per horse must be provided, unobstructed by buildings, (as recommended in Defra's Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids – December 2017). Additionally, if any feeding takes place other than from the grazing land, for example an alternative food source is brought onto the site/land from elsewhere, then a material change of use of the land will have taken place and planning permission would be required.

**89** All permanent stables/shelters will need planning permission. Mobile field shelters may not need planning permission, depending on size, construction, physical attachment to the ground and their intended degree of permanence, though as noted above, the associated use of the land for the keeping of horses will require permission for a change of use.

**90** Contact the Council (see the contact details section) with full details of the proposal to find out if planning permission is required.

### Criteria

**91** Paragraph 149(b) of the NPPF notes that new buildings (such as stables) are only acceptable if they provide appropriate facilities for outdoor sport and outdoor recreation, and as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. If planning permission is required for the equestrian development in the Green Belt, planning permission would only be granted if the proposal meets factors (a) to (e) listed in Section 2 of this guidance note, relevant draft planning policies and the following criteria:

- Stables should be a suitable distance away from homes to avoid problems of smell, noise, pests and so on (taking account of wind directions and other relevant factors). Officer will seek guidance on an appropriate distance from our Environmental Health Department.
- Existing buildings should be used wherever possible and any new buildings should generally be made from wood with felt roofs so they are relatively easy to dismantle when they are no longer needed and are in keeping with the character of the Green Belt.
- Stables and associated tack room/storage should be appropriate for the outdoor recreational use of the associated land, and genuinely required for that use. Livery proposals will be considered on their impact on the character and amenity of the area.

## Contact Details

If you have any questions regarding this Supplementary Planning Document please contact Planning Policy:

Submit an enquiry to Planning Policy online:

<https://www.rotherham.gov.uk/xfp/form/535>

Email: [planning.policy@rotherham.gov.uk](mailto:planning.policy@rotherham.gov.uk)  
Telephone: 01709 823869  
Website: <https://www.rotherham.gov.uk/localplan>  
Post: Planning Policy, Planning, Regeneration and Transport, Regeneration & Environment Services, Rotherham Metropolitan Borough Council, Riverside House, Main Street, Rotherham, S60 1AE

For planning application and pre-application advice, please contact Development Management:

Submit an enquiry to Development Management online:

<https://www.rotherham.gov.uk/xfp/form/216>

Email: [development.management@rotherham.gov.uk](mailto:development.management@rotherham.gov.uk)  
Telephone: 01709 823835  
Website: <https://www.rotherham.gov.uk/planning>  
Post: Development Management, Planning, Regeneration and Transport, Regeneration & Environment Services, Rotherham Metropolitan Borough Council, Riverside House, Main Street, Rotherham, S60 1AE

## Appendix 1 Calculating Volumes

### Volume of extensions to buildings in the Green Belt

**92** As explained, the Council will not usually agree to extensions to buildings in the Green Belt if the volume of the original building would be increased by more than 33%. You must submit plans and your calculations of the increase in volume with your application.

**93** Further information regarding how to calculate volumes is provided below, and a worked example is included at Figure 3 'Working out the percentage increase in the volume of your home'.

### Volume of original building

**94** When working out the volume of an original building, use external measurements. For the purpose of this calculation, the original building is the building as it existed when it was built or on 1 July 1948, whichever is the later.

**95** Measurements should include:

- the roof space;
- the volume below any original raised decking/balconies;
- any attached buildings (i.e. garages) if they were constructed at the same time as the building or added before 1 July 1948.;
- any secondary building (where built at the same time as the original building, or if in existence prior to 1 July 1948) that is within 5 metres of the original building.

**96** Measurements should not include:

- any extensions added after the original building was built unless they were added before 1 July 1948;
- the volume of an area enclosed by railings etc around a balcony or by walls, but which do not have a roof;
- basements and any other parts of the original building which are below ground level.

**97** Having regard to the Warwick District Council v Secretary of State (Eyre J, 12 August 2022), any secondary building that is more than 5 metres from the main building maybe counted as part of the volume of the original building. Each case would be considered on its own merit. Similarly, any outbuilding that is more than 5 metres from the original building maybe counted towards the overall volume of the original building.

**98** Any outbuilding (or extension to that outbuilding) within 5 metres of the original building will count towards the 33% limit.

**99** Any lawful outbuildings that are to be removed should be included as a separate volume calculation if you are relying on them to increase the volume of the original building by more than 33% or a replacement building by more than 10%.

## Volume of Extensions

**100** Measurements should include:

- the roof space;
- basements and any other parts of the building which are below ground level;
- The volume below any raised decking/balconies.

**101** Measurements should not include the volume of any proposed area enclosed by railings etc around a balcony or by proposed walls, but which do not have a roof. High walls/ boundaries proposed will be considered on their merits in terms of the combined impact they have, with the extension, on the openness of the Green Belt.

## **Volume of existing and replacement buildings in the Green Belt**

**102** As explained, the Council will not usually agree to extensions to buildings in the Green Belt if the volume of the original building would be increased by more than 33%. You must submit plans and your calculations of the increase in volume with your application. When working out the volume of an existing building, use measurements taken from outside the walls (external measurements). Submitted plans should also include ALL existing outbuildings within the curtilage of the property on the existing layout, and ALL of those buildings to be retained once the replacement building is constructed. This will allow the Council to enter into a S106 Legal Agreement with the applicant to prevent additional outbuildings being subsequently erected (before any permission for the replacement building is implemented).

### **Existing building:**

**103** Volume measurements (external) of the existing building should include:

- the roofspace;
- The volume below any raised decking/balconies;
- Any attached extensions;-
- any secondary building (where built at the same time as the original building, or if in existence prior to 1 July 1948) that is within 5 metres of the original building.

**104** Your measurements should not include:

- Basements and any other parts of the building which are below ground level;
- The volume of an area enclosed by railings etc around a balcony or by walls, but which do not have a roof, no matter how near to the building the area is.

**105** Having regard to the Warwick District Council v Secretary of State (Eyre J, 12 August 2022), any secondary building that is more than 5 metres from the main building maybe counted as part of the volume of the original building. Each case would be considered on its own merit. Similarly, any outbuilding that is more than 5 metres from the original building maybe counted towards the overall volume of the original building.

**106** Any outbuilding (or extension to that outbuilding) within 5 metres of the original building will count towards the 33% limit.

**107** Any outbuildings to be removed should be included as a separate volume calculation if you are relying on them to increase the volume of the replacement building by more than 10%.

### **Proposed building:**

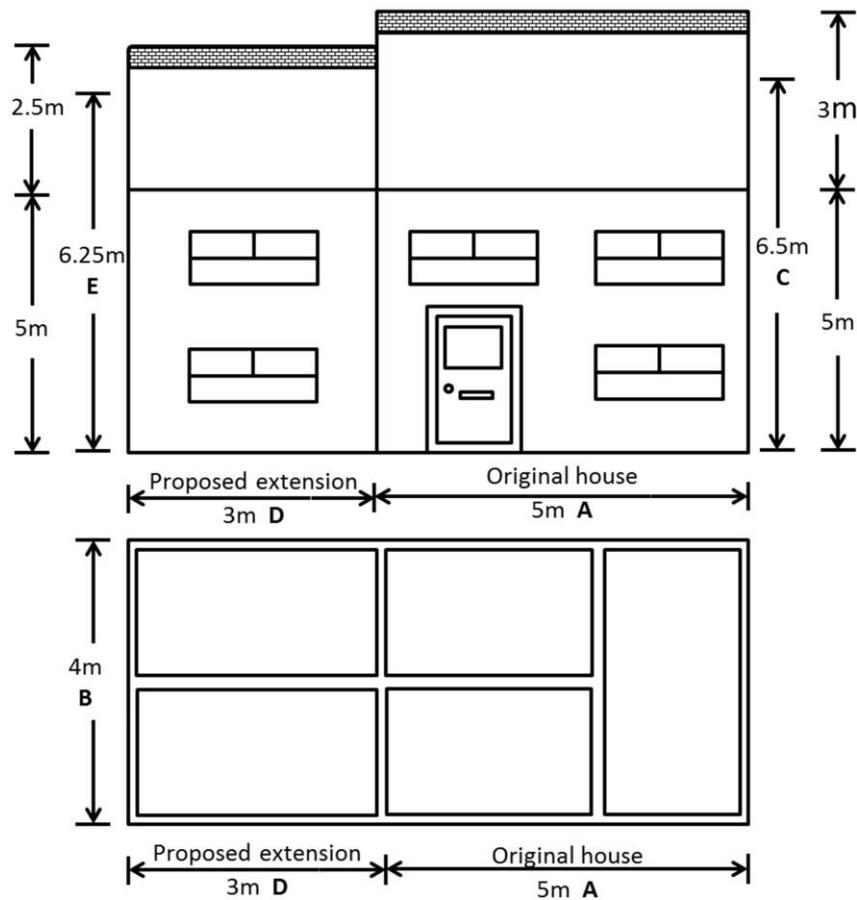
**108** Volume measurements of the proposed building should include:

- the roofspace;
- the volume below any raised decking/balconies;
- proposed basements and any other parts of the building which are below ground level;
- proposed outbuildings (for example, garages) or structures which have a roof and so enclose

space.

**109** Your measurements should not include the volume of an area enclosed by railings etc around a balcony or by walls, but which do not have a roof.

**Figure 3 Working out the percentage increase in the volume of your home**



<b>Original home</b>				
A	X	B	X	C = Volume (m <sup>3</sup> ) of home
Width in metres		Length in meters		Height in metres midway between eaves and ridge
5m	X	4m	X	6.5m = 130m <sup>3</sup>
<b>Extension</b>				
D	X	B	X	E = Volume (m <sup>3</sup> ) of extension
Width in metres		Length in meters		Height in metres midway between eaves and ridge
3m	X	4m	X	6.25m = 75m <sup>3</sup>
<b>Percentage increase in volume of your home:</b>				
Volume of extension divided by Volume of original house $\frac{75\text{m}^3}{130\text{m}^3} \times 100 = 57.7\%$				

## Appendix 2 Light Spillage, Light Glare and Sky Glow

**110** Floodlights can have the following three effects which can lead to an adverse effect on the Green Belt:

- Light spillage (also known as light trespass) – this is light spilling beyond the boundary of the property the light is on. It can lead to large areas in the Green Belt being made highly visible and standing out.
- Light glare – this is dazzling people, causing blind spots in their vision, which can cause a serious danger to drivers.
- Sky glow – this is when artificial light, from the ground is scattered through the atmosphere by dust particles and water droplets. This results in a glow in the sky (making it difficult to see the night sky) and increased light levels on the ground, even in areas some distance away from the light sources.

**111** Artificial lighting would have potential impacts on wildlife such as bats, it is therefore important to thoroughly assess and mitigate any lighting scheme. Further advice can be sought from the Council's ecologist and Local Wildlife Trust.

**112** Figure 4 'Examples of good and poor lighting' below shows how poor lighting can lead to light spillage, glare and sky glow, and how measures can be taken to provide good lighting solutions.

**Figure 4 Examples of good and poor lighting**

