

2024/0575

Change of use from poultry shed to equestrian use

2023/0665

Erection of menage 36m x 17m (Retrospective)

Mr Richard Pinson

Little Doubting Farm, Hartcliff Hill Road, Penistone, Sheffield, S36 9FS

Background

The site has a long history of planning applications as follows:-

2022/0466 - Conversion and alterations of former barn to residential tourist accommodation – Refused and dismissed at appeal

2016/1103 - Erection of single storey annexe extension to dwelling – Approved with conditions

2016/0115 - Erection of extension to existing farm house to form annexe accommodation – Withdrawn

2015/1447 - Erection of agricultural workers dwelling – Withdrawn

2015/1394 - Erection of extension to egg production unit building – Approved with conditions

2012/1008 - Erection of 6Kw, 15m high wind turbine – Refused

2012/0480 - Erection of single storey extension to existing egg production unit – Approved with conditions

2011/0455 - Erection of single storey extension to dwelling – Refused

2011/0417 - Erection of 15Kw, 15m wind turbine – Refused and dismissed at appeal

2010/1032 - Conversion of agricultural building to farmhouse dwelling – Approved subject to the following agricultural occupancy condition:-

The dwelling hereby authorised shall be occupied only by persons employed solely or mainly, or last so employed locally in agriculture as defined in Section 336(1) of the Town and Country Planning Act 1990, or in forestry and the dependants (which shall be taken to include a widow or widower) of such persons. Reason: The site is not in an area intended for general development, as this would be contrary to Policy GS8 of the Barnsley UDP.

Permission is granted to the present proposal solely because the dwelling meets a proven agricultural need

2009/1121 - Erection of a deer unit building – Approved with conditions

2009/0032 - Erection of an egg production unit building and a deer unit building – Refused and allowed at appeal

2008/0095 - Erection of fodder shed for agricultural usage (Resubmission) – Refused

2007/1606 - Erection of free range egg production unit with ancillary hardstandings and access (Revised Submission) – Refused

2007/1423 - Erection of fodder shed – Refused

2007/0586 - Erection of free range egg production unit with ancillary hardstandings and access (Revised Submission) – Refused and dismissed at appeal

2007/0558 - Change of use of land for siting of temporary dwelling (Resubmission) – Refused and dismissed at appeal

2006/1878 - Change of use of land for siting of temporary dwelling - Withdrawn

2006/1063 - Erection of free-range egg production unit with ancillary hardstandings and access – Withdrawn

Description

Little Doubting farm consists of an existing farmhouse, a menage and structures related to the agricultural use of the land, including a barn and large poultry shed. The land is part of a wider land holding which extends to approximately 4.3 hectares in size. The poultry building was previously in use as a poultry shed for the keeping of chickens, however the applicant states that it has not been used for this purpose for a number of years. The north-east corner of the poultry building has been converted into a workshop.

The site is located approximately 2km to the south west of Penistone and access to the site is taken via a private track off Hartcliffe Hill Road. The existing buildings are set against the back drop of the adjacent wooded plantation. Approximately 100 metres to the north-east of the site is a small cluster of residential properties. The building is visible from Hartcliff Hill Road due to the site sloping towards the south. A private horse riding menage has been formed adjacent to the farmhouse.



Proposed Development

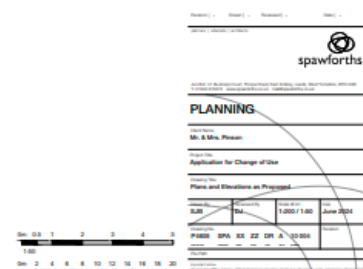
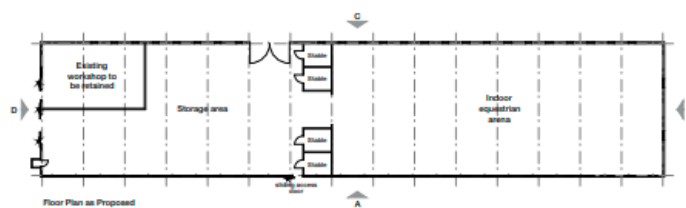
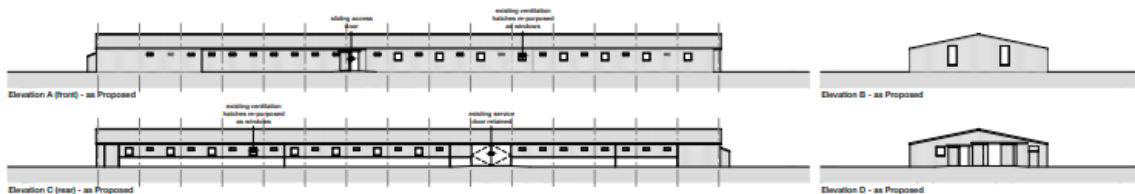
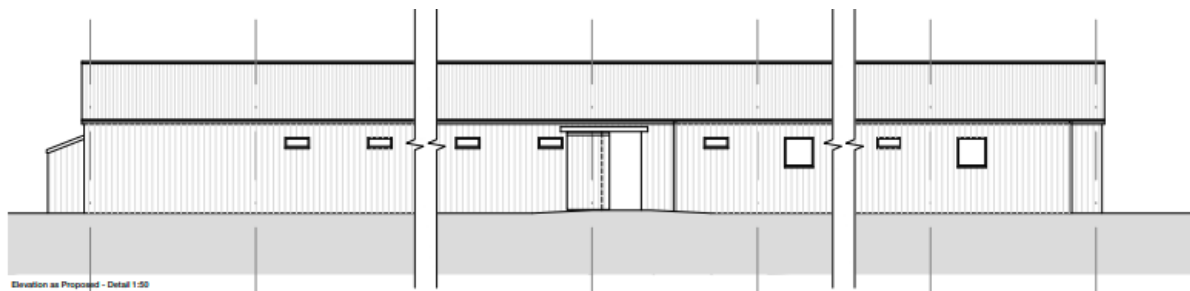
The two planning applications at the site are for equestrian uses, and 2024/0575 proposes the change of use of the existing poultry shed to equestrian use and 2023/0665 is retrospective and proposes the erection of a 36m x 17m horse riding menage. Both equestrian uses are for private facilities for the applicant's own horses.

The proposal for the change of use of the poultry shed involves the formation of 4no. stables, a storage area, an indoor arena and retention of the existing workshop.

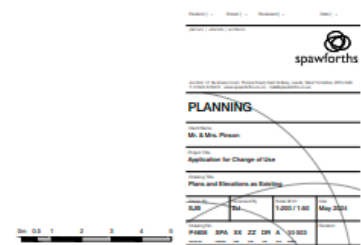
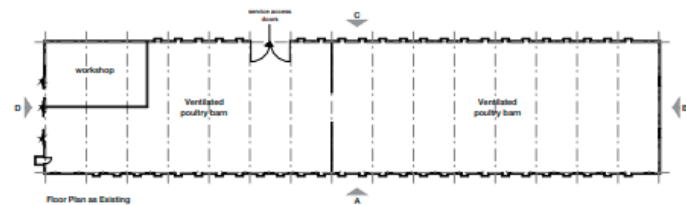
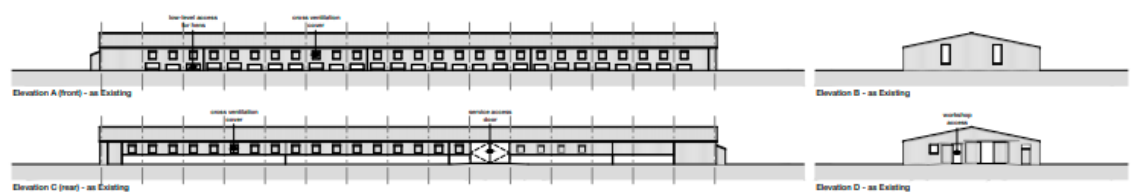
The applicant has provided the following supporting information:-

'The proposed development will consist of full planning permission to change the use of an existing poultry shed to an equestrian use. The equestrian use of the building will relate to the personal use of the applicant and their family and will not represent a commercial enterprise. The existing workshop within the north-eastern corner of the building (top left as shown on the floor plans) will be retained for its current use and separate from the proposed equestrian use. The proposed change of use will facilitate external alterations to the host building. However, these will be limited to the addition of doors and a reconfiguration of the fenestration. Elevations B (south side facing) and D (north side facing) will be retained and unaltered. Elevation A (front) will have a sliding access door installed and the existing ventilation hatches re-purposed as windows. Elevation C (rear) will have the existing service door retained and also the existing ventilation hatches re-purposed as windows. There will be no extension to, or enlargement of the building.'

- 'The proposed development will be solely for the personal use of the applicant, as described in the application. The unit will not be used as a separate livery hired out or used in any commercial or business capacity.
- There will be no requirement for 24hr supervision. As can be seen in the details provided within the application form and the location plan, the applicant's home address is within the blue line boundary of the Site and is less than 100m from the building.
- The proposed development is not intended for breeding of horses, commercial or otherwise.
- The indoor arena and outdoor arena are both required for personal use by the applicant's daughter and granddaughters, particularly due to the frequent adverse weather conditions at the site.'



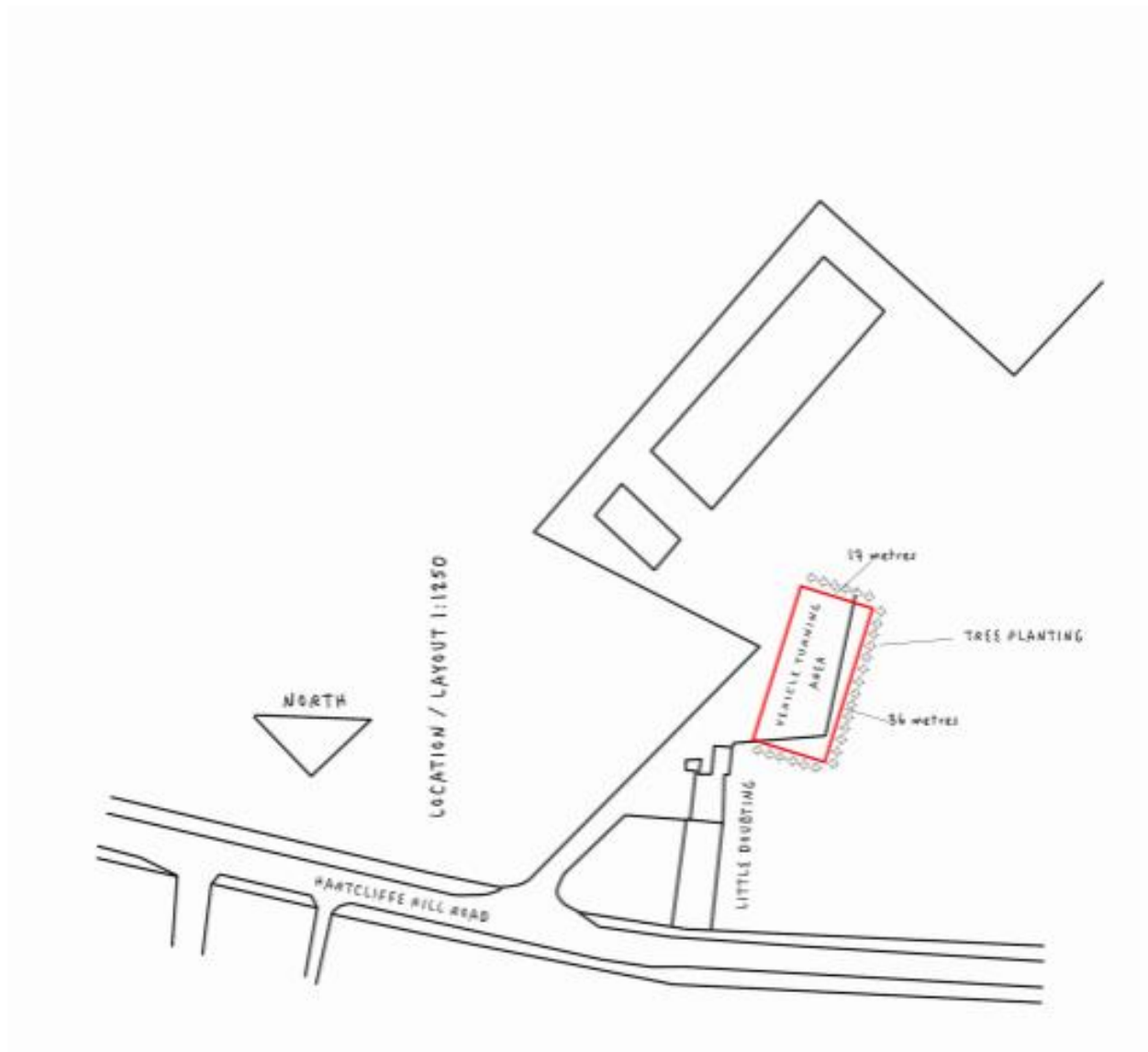
Equestrian Unit - Plans and Elevations as Proposed
Proposed plans



Existing plans

The applicant also seeks permission for the retention of a menage 36m by 17m, which is located to the west of the main dwelling on an area formally used as space for the parking and turning of vehicles. It is proposed to install tree planting to the southern, western and northern side of the menage, which is for personal use, to train and exercise the applicant's

horses. The menage is riding surface is a mix of sand and synthetic fibres with a post and rail enclosure.





Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Local Plan Policies

The site is allocated as in the Green Belt in the Local Plan where GB1 applies, protecting the Green Belt in accordance with National Planning Policy.

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

Policy GB3: Changes of use in the Green Belt

We will allow the change of use or conversion of buildings in the Green Belt provided that:
The existing building is of a form, scale and design that is in keeping with its surroundings;
The existing building is of a permanent and substantial construction and a structural survey demonstrates that the building does not need major or complete reconstruction for the proposed new use;

The proposed new use is in keeping with the local character and the appearance of the building; and

The loss of any building from agricultural use will not give rise to the need for a replacement agricultural building, except in cases where the existing building is no longer capable of agricultural use.

All such development will be expected to:

- Be of a high standard of design and respect the character of the existing building and its surroundings, in its footprint, scale and massing, elevation design and materials;
- Have no adverse effect on the amenity of local residents, the visual amenity of the area, or
 - highway safety; and
 - Preserve the openness of the Green Belt.

In addition to the above, when a residential use is proposed, we will allow the change of use provided that:

- There are not strong economic reasons why such development would be inappropriate; and
- Residential use would be a more appropriate way of maintaining and improving the character and appearance of the building than any other use

The following policies are also of relevance:-

Policy D1 High quality design and place making
Policy BIO1 Biodiversity and Geodiversity
Policy T4 New Development and Transport Safety

Supplementary Planning Document – Barn Conversions
Supplementary Planning Document – Parking

NPPF

The National Planning Policy Framework 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.

Para 155 is of relevance to this proposal and states that:-

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, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order

Consultations

2023/0665 – Retention of Menage

Drainage – No objections happy for details to be checked by Building Control
Highways DC – No objections
Pollution Control – No objections
Langsett Parish Council – No objections; comments were made in relation to the colour of the surfacing; however, this was in relation to the example design within the application form.
Ward Councillors – No comments received

2024/0575 – Change of use of poultry shed to equestrian use

Langsett Parish Council – Langsett Parish Council do not have any comments on this application as it stands but note that the application for a ménage at the same location (2023/0665) has not been passed by BMBC, and the Parish Council are unsure what impact

if any, this would have on this current proposal. Would it be possible to advise if the application for the menage will affect this planning application.

Highways – No objections

Drainage – Details to be checked by Building Control

Pollution Control – No objections

Ward Cllrs – No comments received

Representations

The applications have been advertised by way of neighbour notification letters and site notices; no representations have been received.

Assessment

Principle of development

Little Doubting Farm is set within the Green Belt as allocated on the adopted Barnsley Local Plan where inappropriate development is, by definition, harmful and should not be allowed except in very special circumstances. As both applications propose an equestrian change of use of the site and buildings, then both applications are to be assessed within this single report.

In terms of the change of use development within the Green Belt, para 155 of the NPPF states that '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 include:

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).'

In terms of the outdoor menage. Menages, such as the ones proposed, are a feature of the countryside, and the use of land within the Green Belt for the grazing of horses is typical within the area and accepted by the NPPF as being an acceptable use (sports and recreation) and development within the Green Belt, subject to the impact of the proposal upon visual amenity, residential amenity and highway safety, which are further assessed within this report.

In terms of the poultry shed conversion, Local Plan Policy GB3 allows for changes of use to existing buildings in the Green Belt, subject to the various criteria. The policy states that:

We will allow the change of use or conversion of buildings in the Green Belt provided that:

- The existing building is of a form, scale and design that is in keeping with its surroundings;
- The existing building is of a permanent and substantial construction and a structural survey
- demonstrates that the building does not need major or complete reconstruction for the proposed new use;
- The proposed new use is in keeping with the local character and the appearance of the building; and
- The loss of any building from agricultural use will not give rise to the need for a replacement
- agricultural building, except in cases where the existing building is no longer capable of agricultural use.

All such development will be expected to:

- Be of a high standard of design and respect the character of the existing building and its surroundings, in its footprint, scale and massing, elevation design and materials;
- Have no adverse effect on the amenity of local residents, the visual amenity of the area, or
- highway safety; and
- Preserve the openness of the Green Belt.

Policy GB3 of the Local Plan requires that the existing building to be converted is of a 'permanent and substantial construction and a structural survey demonstrates that the building does not need major or complete reconstruction for the proposed new use'.

The building is to be used for an equestrian use which is an 'outdoor recreation use' and the existing drawings and recent photos provided within this application demonstrates that the existing agricultural building is of a permanent and substantial construction, with no significant works required in a structural capacity to facilitate the proposed change of use to equestrian use and no extensions are required. The building will therefore still appear as an agricultural shed and given that this is for a private facility for the owner of Little Doubting Farm, then there would not be significant increased activity at the site. The applicant has confirmed that the existing building has not been used for the housing of poultry for a number of years and is no longer required for agricultural use. As such, its replacement for further agricultural use will not be required.

Whilst the building is large, it would provide sufficient space to provide an indoor area, 4 stables, indoor storage and a workshop for the proposed private facility and meets the requirements of policy GB3.

Other matters such as ecology, visual amenity, residential amenity and highway safety are assessed below.

Visual amenity and Openness

In considering the impact on openness and visual amenity, Policy GB3 states that:- proposals should be of a high standard of design and respect the character of the existing building and its surroundings, in its footprint, scale and massing, elevation design and materials, and must preserve the openness of the Green Belt.

The existing egg production unit is a large building; however it is seen against the backdrop of existing woodland to the rear of the site. Whilst the proposed change of use will facilitate small external alterations to the host building, these will be limited to the addition of doors and a reconfiguration of the fenestration. It is considered that these are modest alterations to the building, which will not alter the size or scale of the structure. The alterations are of a level that will not significantly change the external appearance of the building, which will retain its current agricultural appearance.

The existing menage is of a typical design and has been set on an area which was previously used for parking. The surfacing materials are in keeping with the rural area and do not appear to be visually intrusive. The design and access statement submitted with the menage application indicates that 'a tree planting scheme is in the process of being implemented to

the southern, western and northern sides of the menage, allowing access to the eastern side for the owners, whilst providing screening to the Menage arena.' Landscaping would enable to menage to be further screened. Details of the proposed landscaping have not yet been submitted, therefore as the menage is already in place, these should be conditioned to be submitted within 3 months of the date of the permission.

Based on the above, there would not be a significant impact on openness and visual amenity of the Green Belt and the visual amenity of this site in compliance with Local Plan Policies GB1, GB3 and the NPPF.

Residential amenity

The site is set a significant distance away from other residential properties and the use for private equestrian facilities in connection with Little Doubting Farm would not cause any significant movements at the site and are likely to be less than the previous egg production facility use. The proposals are therefore considered to be acceptable in terms of the impact of upon residential amenity.

Impact upon Protected Species

As with the previous planning application at the site, due to the type of barn proposed for conversion, there is no requirement for an ecology survey to assess the presence/absence of bat and barn owl. Due to the small size of the site and the low value of the habitats present (largely buildings, hardstanding, etc.) the direct impact of the proposals is considered to be minimal and therefore a BNG assessment is not considered necessary to support the application in compliance with policy BIO1 of the Local Plan.

Highways

The Highways Officer has been consulted and has no objections to the proposals. The following comments have been received in relation to the menage application:-

'The submitted information states that the manège is to be used by the applicants to train and exercise their own horses and as such will not result in an increase in vehicular movements to/from the site. The manège is positioned primarily on an area previously used for the parking and turning of vehicles. Despite the loss of this area, there remains ample room for vehicles to park and turn within the site. It is therefore considered that the proposals do not adversely impact upon the highway and are acceptable from a highways development control perspective.'

The following comments have been received in relation to the poultry shed conversion application:-

'The existing poultry shed is the largest agricultural building on the Little Doubting Farm site, it is now proposed to change the use of the building to that of equestrian use. The submitted supporting information states clearly that the equestrian use would relate to the personal use of the applicant and their family and would not represent a commercial enterprise.'

From a highways point of view, the proposed use of the shed for personal equestrian purposes compared with being fully operational as a poultry barn would in all likelihood result in a reduction in the number of vehicular movements generated by the site. This does however depend on the building being restricted, by a suitably worded planning condition, to personal use only. On that basis, if such a condition could be included to that effect, I would not raise any objections from a highways development control perspective.'

The proposal is therefore acceptable in terms of Highway Safety and no specific highways related conditions are deemed necessary, in accordance with the SPD Parking and Local Plan Policy T4.

Recommendation

Approve the applications, subject to conditions including limiting the use of the menage and stable/indoor arena for personal use.