

## **2022/0466**

Mr Richard Pinson

Conversion and alterations of former barn to residential tourist accommodation

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

### **Background**

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

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2016/0115 - Erection of extension to existing farm house to form annexe accommodation – Withdrawn

2015/1447 - Erection of agricultural workers dwelling – Withdrawn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2006/1878 - Change of use of land for siting of temporary dwelling - Withdrawn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**

The site currently consists of a free range egg production unit, a separate barn and a converted farm workers dwelling and attached annex. The agent states that the site is used for egg production, however there is no mention of the previous deer unit and it is not clear if this operation has ceased. The agent states that this will be the last year of viability of the egg production project (LDF Eggs Ltd) due to a supermarket drive for much larger production units which is not an option for the land owner and due to increased costs. There are no details of any other agricultural operations on the site within the supporting statement. The submitted blue line boundary indicates that the land surrounding the building amounts to approx. 2.7ha.

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.



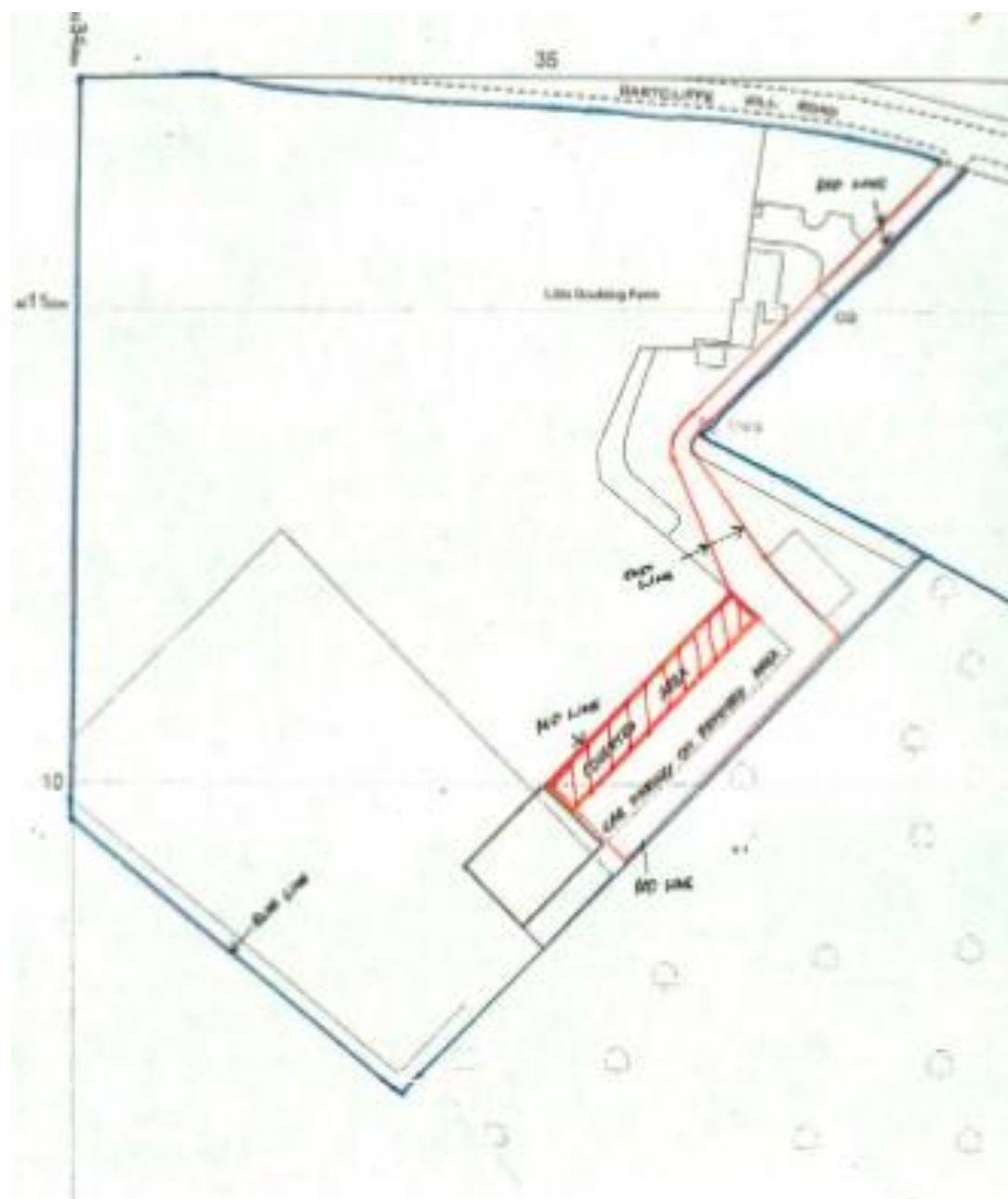


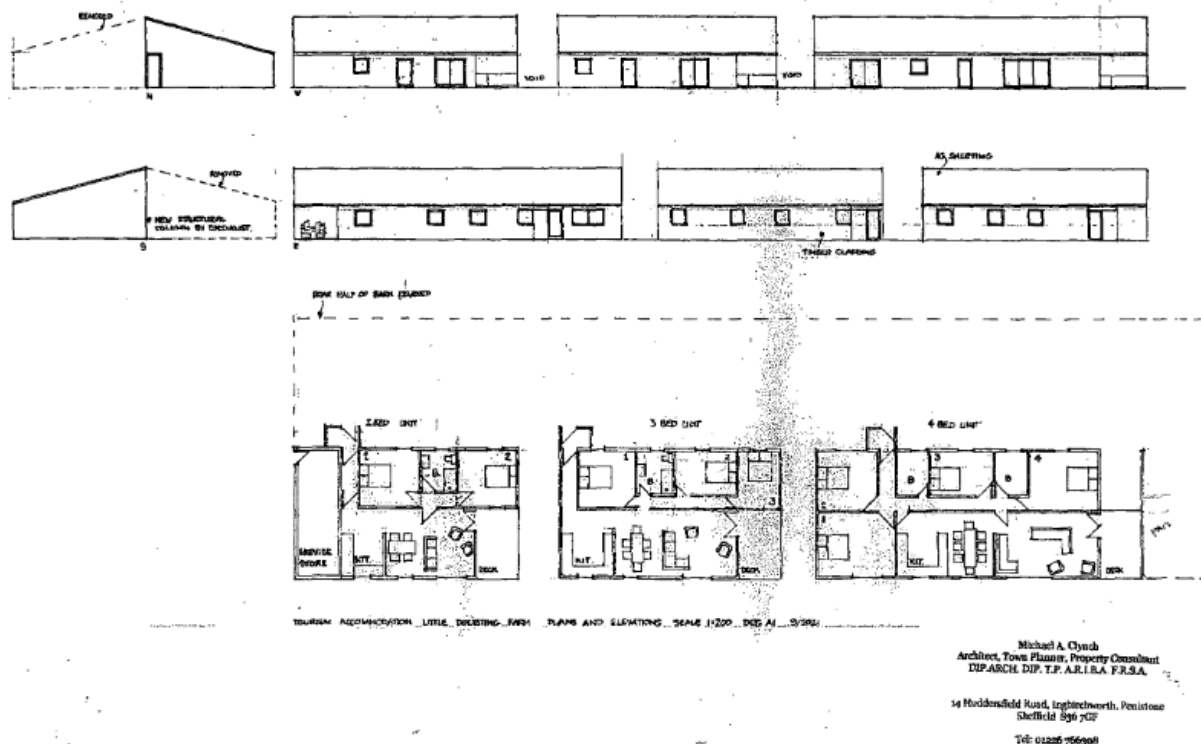


### **Proposed Development**

The application proposes the conversion and alterations of part of the egg production unit barn into residential tourist accommodation. The accommodation would form 3 separate units, a 2 bed unit, a 3 bed unit and a 4 bed unit. 2 parking spaces per unit would be provided to the rear of the buildings. The works would consist of the conversion of the front part of the barn and the rear would be removed in order to create parking areas. Part of the barn would remain to the west; however, it is not clear what the remaining barn would be used for. Details have not been provided in terms of the existing storage barn on site and what this would be used for given the main agricultural operation, the egg production unit, will cease to operate.

The agent has submitted a Design and Access statement which details how the conversion would be carried out, however a structural survey by a qualified Structural Engineer has not been submitted. The works to convert are described as:- 'The rear arm of the portal will be removed. A new steel column arrangement will be supplied and structurally designed to support the existing apex of the frame. The cladding material will be upgraded and floor and roof insulation to meet building regulations.'





The financial information submitted with the application includes:-

- Invoices dated 29/12/09 and 21/03/10 which shows the amount paid for construction kits for a building. It is not clear which buildings these relate to.
- A document has been provided which details the increase in feed costs up from 2017 to 2022, however no information/invoices have been provided to prove these claims.
- No accounts have been provided.

A Preliminary Ecological Appraisal has been submitted with the application.  
 A copy of the Barnsley Visitor Economy Strategy has also been included with the submission.

## Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the National Planning Policy Framework 2021 (NPPF) does not change the statutory status of the development plan as the starting point for decision making.

The Local Plan was adopted by the Council in January 2019 along with a series of Supplementary Planning Documents.

## 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

Policy E5 Promoting Tourism and encouraging Cultural Provision

Tourist related development in rural areas will be protected and encouraged to support and diversify the local economy, subject to the requirements of Policy E6 Rural Economy.

Policy E6 Rural Economy

We will encourage a viable rural economy by allowing development in rural areas if it: Supports the sustainable diversification and development of the rural economy; Results in the growth of existing businesses; Is related to tourism or recreation; or Improves the range and quality of local services in existing settlements.

Development in rural areas will be expected to: Be of a scale proportionate to the size and role of the settlement; Be directly related, where appropriate, to the needs of the settlement; Not have a harmful impact on the countryside, biodiversity, Green Belt, landscape or local character of the area; Consider the re-use of existing rural buildings in the first instance; and

Protect the best quality agricultural land, areas of lower quality agricultural land should be used for development in preference to the best and most versatile land.

Supplementary Planning Document – Design of Housing Development  
Supplementary Planning Document – Barn Conversions

Other:  
South Yorkshire Residential Design Guide

### 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.

Paragraphs of relevance to this application would be:

Para 149: 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 (excluding temporary buildings), which would:  
– not have a greater impact on the openness of the Green Belt than the existing development; or  
– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

### **Consultations**

Langsett Parish Council – Langsett Parish Council are concerned that the proposed plans aesthetically don't look fit in with the area, which is in the Green Belt and wish to raise that concern regarding the proposed appearance. Also could you advise, would an application have to be raised for a change of use to tourist accommodation?

Biodiversity Officer – No objections

Highways – No objections subject to conditions

Drainage – Details to be checked by Building Control

Pollution Control – No objections subject to conditions

Conservation – No objections

### **Representations**

Neighbour notification letters were sent out to surrounding properties and a site notice posted adjacent to the site; no comments were received as a result.

### **Assessment**

#### Principle of development

The site 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.

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.

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 application proposes the conversion and alterations of part of a barn into residential tourist accommodation. The accommodation would form 3 separate units, a 2 bed unit, a 3 bed unit and a 4 bed unit. 2 parking spaces per unit would be provided to the rear of the buildings. The works would consist of the conversion of the front part of the barn and the rear would be removed in order to create parking areas. Part of the barn would remain to the west; however, it is not clear what the remaining barn would be used for. Details have not been provided in terms of the existing storage barn on site and what this would be used for given the egg production unit will cease to operate.

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 agent has submitted a Design and Access statement which details how the conversion would be carried out, however a structural survey by a qualified Structural Engineer has not been submitted with the application to demonstrate that the existing building is of a permanent and substantial construction and does not need major or complete reconstruction for the proposed new use.

The works to convert are described as:- 'The rear arm of the portal will be removed. A new steel column arrangement will be supplied and structurally designed to support the existing apex of the frame. The cladding material will be upgraded and floor and roof insulation to meet building regulations.' The submitted information indicates that significant works would be required in order to form the tourist units which include substantial demolition, and it is not clear what impact this significant demolition would have on the existing structure. The works required would indicate that the building is not of a substantial construction and would need major and complete reconstruction for the proposed use, akin to a new build development within the Green Belt. Should an application be submitted for a new build development, this would not be justified. In terms of replacement of existing buildings within the Green Belt, the Council's own Policy GB2 requires that replacement buildings in the Green Belt are in the same use. In addition, the NPPF's previously developed land definition excludes 'land that is or has been occupied by agricultural or forestry buildings.' The proposal therefore fails to comply with policy GB3 in this respect.

In terms of the justification for the loss of the agricultural building, there is a need to demonstrate the buildings are no longer required for agricultural use, as well as details of the continuing agricultural business on the site, to demonstrate this will not give rise to future applications for replacement agricultural buildings. This should be supported by financial evidence. The financial information submitted with the application includes:-

- Invoices dated 29/12/09 and 21/03/10 which shows the amount paid for a construction kits for a building. It is not clear which buildings these relate to.
- No accounts have been provided.
- A document has been provided which details the increase in feed costs up from 2017 to 2022, however no information/invoices have been provided to prove these claims.

Insufficient information has been submitted with the application to prove that the current egg production facility is unviable and no accounts have been submitted. Insufficient evidence has also been provided to show that an alternative agricultural use of the building would not be viable. Part of the barn would remain to the west; however, it is not clear what the remaining barn would be used for. Details have not been provided in terms of the existing storage barn on site and what this would be used for given the egg production unit will cease to operate. In addition, it not clear which other agricultural activities take place on the site, which may give rise to the need for a replacement agricultural building or extension to replace the unit lost, contrary to Policy GB3.

The applicant has also stated within the application form that the use would require 2 full time workers for the proposed tourism use. It should be noted that the applicant's dwelling is subject to an agricultural tie which states that '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.' Should the agricultural activities cease on the site, then the applicant could potentially be in breach of the above condition, should the applicant be employed in a holiday let business full time.

In addition to the above financial implications and agricultural need, it is necessary to demonstrate that there is an economic case for the proposed use as holiday accommodation. Whilst it is proposed that proposal would provide three additional units of accommodation for tourists, insufficient justification has been submitted to show that there is a demand for holiday lets in this particular area. The small benefits to the tourism would not adequately compensate for the loss of this agricultural building and the substantial construction works and the impact of the use and buildings upon the openness of the Green Belt.

In summary, the applicant has failed to demonstrate that the building is of a permanent and substantial construction and in the absence of a structural survey the proposal does not demonstrate that the building does not need major or complete reconstruction for the proposed new use contrary to policy GB3 and the SPD Barn Conversions.

The proposal provides insufficient justification to prove that the current agricultural use is not viable and there is a demand for the proposed use. The applicant has failed to demonstrate that there are not strong economic reasons why such development would be inappropriate. In addition, insufficient evidence has been submitted to demonstrate that a residential use would be a more appropriate way of maintaining and improving the character and appearance of the building than any other use contrary to policy GB3.

### 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. Agricultural activity and associated barns are a feature of the Green Belt, however detached units of accommodation such as these, are not a common feature and would appear as a new small housing development of bungalows, rather than a traditional barn conversion within the Green Belt.

The proposal includes the retention of part of the barn to the west and the demolition of half of the building to the rear. Whilst the building would be of a reduced size, part of the barn would remain, and it is not clear what this would be used for. In terms of increased activity at the site, no details have been provided in terms of the occupancy of the units, therefore it is assumed that this could be a potential, year-round operation. This increased level of activity and the coming and going of vehicles and residential paraphernalia on the site will undoubtedly impact on the openness of the Green Belt.

Based on the above, there is an impact on openness and visual amenity which will cause harm to the Green Belt and the visual amenity of this site contrary to Local Plan Policies GB1, GB3 and the NPPF.

### Impact upon Protected Species

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.

The Ecology Officer has stated that due to the proximity of the proposed holiday accommodation to Doubting Plantation, an established broadleaved woodland, proposed lighting should be minimal and sympathetic. A detailed lighting scheme including the location, orientation, angle and luminance of the lighting and a horizontal illuminance contour plan would be required by condition. The lighting scheme should be produced in line with the following guidance: Bat Conservation Trust publications 'Artificial Lighting and Wildlife' (2014); Bats and Artificial Lighting in the UK' (2018) and Emma L Stone (2015).

In addition to the above, a bat and bird box scheme has been recommended to be conditioned by the Ecology Officer. The scheme should include a plan showing the number, location and type of boxes proposed and photographs of the boxes in situ. The provision of boxes would be in line with the National Planning Policy in that all development should aim to enhance site biodiversity. Subject to compliance with the above recommendations, the Biodiversity Officer has raised no objections and the proposal is therefore compliance with policy BIO1 of the Local Plan.

### Highways

The Highways Officer has been consulted and has no objections to the proposals. The proposals comprise the conversion of part of the existing large barn into three separate holiday lets; one each of a two, three and four bed property. An ample parking area for the holiday lets is to be located between the new accommodation and the site boundary on an area of land currently occupied by the section of barn that is to be removed.

In terms of traffic generation, the Design & Access statement refers to a reduction in heavy vehicle movements as a result of the proposals, this is likely to indeed be the case but there is also likely to be an overall increase in total vehicle movements to and from the site with the proposed use. The site access is currently unsurfaced and is unsuitable for an increase in the number of vehicles using it, the access should be properly hard surfaced for at the least the first 10m into the site.

Subject to the improvements to the surface of the access, the proposals are considered to have minimal highway implications and there are no objections on highway safety grounds subject to conditions.

### Conclusion

The site is in 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.

The applicant has failed to demonstrate that the building is of a permanent and substantial construction and in the absence of a structural survey the proposal does not demonstrate that the building does not need major or complete reconstruction for the proposed new use contrary to Local Plan Policy GB3.

In addition, insufficient evidence has been submitted to demonstrate that a residential use would be a more appropriate way of maintaining and improving the character and appearance of the building than any other use contrary to Policy GB3. The applicant has failed to demonstrate that the agricultural use of the existing egg production facility is not viable and that alternative agricultural uses of the building have been considered contrary to Policy GB3.

The proposed tourist accommodation units would provide three further units of tourist accommodation in this area; however the applicant has not demonstrated that there is a demand for such units in this location and that there are not strong economic reasons why such development would be inappropriate contrary to Policy GB3.

The proposed tourist units and the activity associated with them would have an impact upon the openness of the Green Belt and taking account of the above, it is not considered that the tourism benefits sufficiently outweigh the harm to the Green Belt or any other harm and therefore very special circumstances do not exist.

### Recommendation

**Refuse**