

**BARNSLEY COLLEGE, WIGFIELD FARM CAMPUS
HAVERLANDS LANE, WORSBROUGH, BARNSLEY S70 5NQ**

BARNSLEY COUNCIL

PLANNING STATEMENT

LAWFUL DEVELOPMENT CERTIFICATE (PROPOSED) - CONSTRUCTION OF A
SINGLE STOREY DETACHED BUILDING COMPRISING THREE CLASSROOMS.

NTA PLANNING CONSULTANTS LLP
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August 2026

Ref: 1493

Rev: A

Client



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1.0 INTRODUCTION

- 1.1 This statement accompanies an application for a Lawful Development Certificate (proposed) from Barnsley Council (the LPA) made under Section 192(1) of the Town and Country Planning Act 1990 (as amended). Specifically, we are seeking confirmation from the Local Planning Authority that the following development at Barnsley College's Wigfield Farm Campus would be lawful:

“Construction of a detached single storey building comprising three classrooms.”

- 1.2 Under this application, we are seeking a Lawful Development Certificate from the LPA to confirm that the operation of constructing a detached, single storey classroom block within this college site would be lawful in accordance with Schedule 2, Part 7, Class M of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended by Statutory Instruments in 2017, 2021 and 2023.
- 1.3 This Statement should be considered alongside the following information submitted in support of this application:

FILE	REVISION	AUTHOR
Application Form	PP-15089658	NTA Planning
Planning Statement	1493 – August 2026	NTA Planning
CIL Form 1	PP-15089658	NTA Planning
Cover Letter	6 th August 2026	NTA Planning
Site Location Plan	WFC-SEV-ZZ-ZZ-D-A-00510 P01	Seven Architecture
Existing Site Plan	WFC-SEV-ZZ-ZZ-D-A-00514 P01	Seven Architecture
Proposed Site Plan	WFC-SEV-ZZ-ZZ-D-A-00515 P01	Seven Architecture
Proposed Ground Floor Plan	WFC-SEV-ZZ-ZZ-D-A-00516 P01	Seven Architecture
Proposed Roof Plan	WFC-SEV-ZZ-ZZ-D-A-00518 P01	Seven Architecture
Existing Elevations	WFC-SEV-ZZ-ZZ-D-A-00519 P01	Seven Architecture
Proposed Elevations	WFC-SEV-ZZ-ZZ-D-A-00520 P01	Seven Architecture
Proposed Section	WFC-SEV-ZZ-ZZ-D-A-00521 P01	Seven Architecture
August 2026 College Curtilage Plan	WFC-SEV-ZZ-ZZ-D-A-00524 P01	Seven Architecture
April 2021 College Buildings Site Plan	WFC-SEV-ZZ-ZZ-D-A-00523 P02	Seven Architecture
August 2026 Predominant Education Use Site Plan	WFC-SEV-ZZ-ZZ-D-A-00522 P02	Seven Architecture

- 1.1 This Statement takes the following structure
- Section 2 describes the application site and background to the proposals.
 - Section 3 discusses the relevant planning history for the site.
 - Section 4 describes the proposed development
 - Section 5 assesses the development against permitted development legislation.
 - Section 6 concludes this report.

2.0 DESCRIPTION OF SITE AND SURROUNDING AREA

BARNSELY COLLEGE – WIGFIELD FARM CAMPUS

- 2.1 The Site comprises a small area within the Wigfield Farm Campus. Wigfield Farm is an operational farm, which forms part of a campus for Barnsley College to deliver Agriculture, Animal Management, Dog Grooming and Horticulture courses. In addition to the courses being taught on site, there are some visitor facilities and public café.

- 2.2 Further details regarding this campus is provided directly on the Barnsley College website – <https://www.barnsley.ac.uk/campuses/wigfield-farm-campus>

- 2.3 The site consists of a variety of barns and animal enclosures/paddocks closely grouped together within the 2.35ha complex.

Our Wigfield Farm campus, located in the scenic Worsbrough area of Barnsley, is a working farm, learning hub, and visitor attraction all in one.

Studying Animal Management or Agriculture will allow you to gain hands-on experience caring for over 60 animal species, from cows and chickens to llamas and meerkats. You can also work with commercial glasshouses and industry-standard horticultural equipment to develop your horticulture skills.

Family and friends are welcome to visit - check the [Wigfield Farm website](https://www.barnsley.ac.uk/campuses/wigfield-farm-campus) for more details.



- 2.4 This cluster of buildings are sited to the south of the larger farm site (c11ha) with agricultural fields located to the north, east and south-west. These fields form part of the wider farm complex and enable the agricultural course to be effectively taught.

Facilities



Our commercial glasshouses, polytunnels, and industry-standard horticultural equipment provide an ideal environment for students to gain practical experience in plant cultivation and sustainability.



Equipped with brand-new tractors, our agricultural facilities allow students to develop their expertise in modern farming practices while managing diverse livestock such as cattle, sheep, goats, and poultry.



With over 60 species, including meerkats, donkeys, guinea pigs, rabbits, and birds, students of the Wigfield Farm campus have the opportunity to care for a wide range of animals, learning skills in animal husbandry and welfare.

WEBSITE EXTRACT (BARNSELY.AC.UK)

- 2.5 The freehold for the site is owned by Barnsley Metropolitan Borough Council with Barnsley College enjoying a lease of the entire premises to provide education.

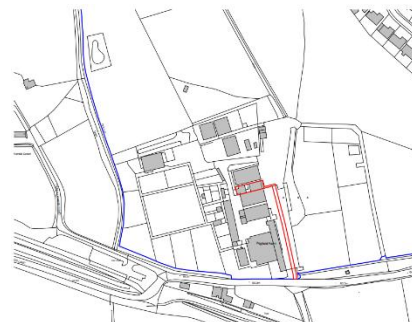


AERIAL VIEWS FROM PROMOTIONAL VIDEOS (YOUTUBE.COM)

APPLICATION SITE

- 2.6 For the purposes of this application, the Application Site comprises an area of hard standing which sits between two barns within the existing cluster of built form within the site.

- 2.7 Up until recently, this area supported two modular buildings and a small shed which served as classrooms for the College curriculum which were erected in 2010 and 2011 (see Section 3.0). As these structures have come to the end of their functional life, they were removed from site in August 2026 after receiving verbal confirmation



APPLICATION SITE

from Barnsley Council that Prior Approval would not be required (ref 2026/0561). Some images of the buildings which have been removed are below, along with an August 2026 photo of the site showing how this area has now been cleared of these buildings.



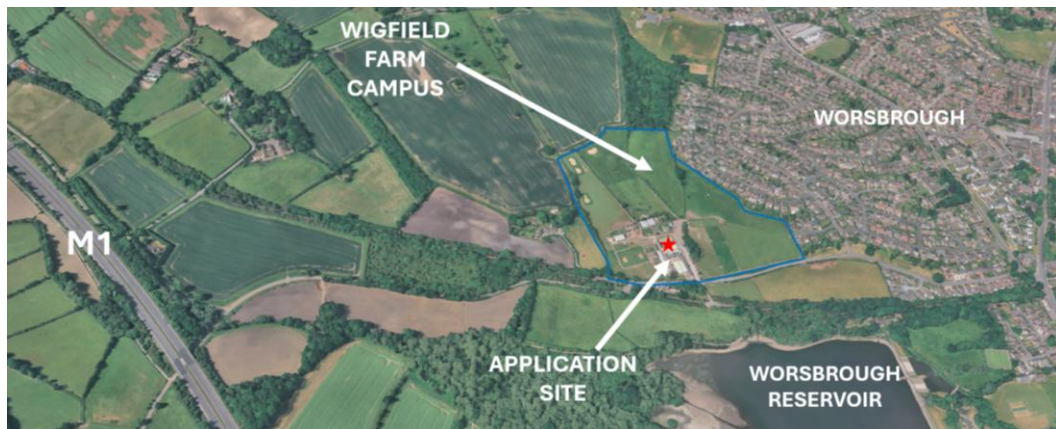
BUILDINGS REMOVED FROM SITE (PHOTO TAKEN – JULY 2026)



CLEARED AREA – AUGUST 2026

SURROUNDING AREA

- 2.8 As one would expect for a site of this nature, the surrounding area is relatively rural, however the eastern boundary of the Site does abut the suburban boundary edge of the District of Worsbrough.
- 2.9 To the north, south and west is less developed, with mostly agricultural land dominating these areas. The M1 is half a mile to the west, whilst Worsbrough Reservoir is on the opposite (southern) side of Haverlands Lane. The town of Barnsley is 3 miles to the north of the Application Site.

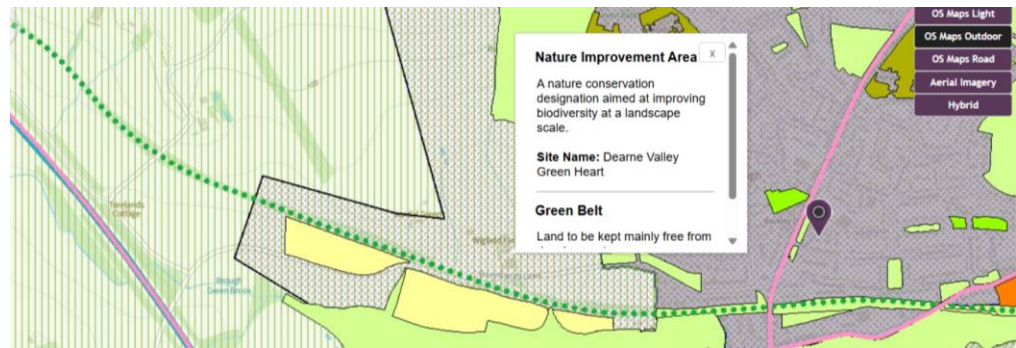


SURROUNDING CONTEXT

COUNCIL DESIGNATIONS

2.10 The site falls within the administrative area of Barnsley Metropolitan Borough Council. According to the Local Plan Map, the site has the following planning related designations:

- The entire site covered by **Green Belt** as defined in the Barnsley Local Plan.
- The site lies within the **Dearne Valley Green Heart Nature Improvement Area** and
- The site is within the **Worsbrough Country Park Cultural Importance** buffer.
- The site lies within the **High-Risk Development Area** as defined by the Mining Remediation Authority maps.
- The site is also in **Flood Zone 1 (low risk)** as per the Environment Agency flood map (lowest risk of flooding)



LOCAL PLAN MAP EXTRACT

3.0 RELEVANT PLANNING HISTORY

- 3.1 The site has some planning history dating back as far as 1976, which merits consideration as part of this application. This is provided in the table below.

REFERENCE	DESCRIPTION	DECISION
2026/0561	<i>Prior notification for the demolition of portacabins and shed.</i>	Pending Determination
2022/0203	<i>Demolition of existing and erection of replacement livestock shed/enclosure</i>	Granted 15.6.2022
2022/0200	<i>Change of use of existing tractor shed to classroom facilities and associated internal and external alterations</i>	Granted 10.6.2022
2022/0202	<i>Erection of tractor shed and hay store agricultural building (Application to determine if prior approval is required)</i>	Prior Approval - Not Required 11.3.2022
2014/0857	<i>Demolition of existing animal enclosure, erection of a new livestock barn, animal enclosure, visitor shelter, animal house and new windows and door to main building.</i>	Granted 19.9.2024
2014/0159	<i>Erection of a shelter.</i>	Granted 7.4.2014
2011/0997	<i>Siting of a modular portable classroom.</i>	Granted 4.10.2011
2010/1534	<i>Formation of car park</i>	Withdrawn Decision
2010/1199	<i>Erection of a portacabin.</i>	Granted 3.12.2010
2010/0651	<i>Formation of play area</i>	Granted 21.7.2010
2008/0806	<i>Change of use from agricultural land into an informal six hole pitch and putt golf course primarily used for teaching students about gang mowing and grass cutting regimes</i>	Granted 5.9.2008
B/02/1292/WB	<i>Change of use of existing building to create laboratory, staff room and store and external alterations.</i>	Granted 22.10.2002
B/98/1147/WB	<i>Erection of livestock building</i>	Granted 26.11.1988
B/97/0880/WB	<i>Erection of new training workshop, classroom, polytunnel and greenhouse</i>	Granted 18.9.1997
B/84/1163/WB	<i>Conversion of redundant farm premises to form depot for Recreation Department in accordance with drawings,</i>	Granted 12.10.1984
B/76/3028/WB	<i>Erection of bungalow to replace farmhouse</i>	Historic 3.3.1977

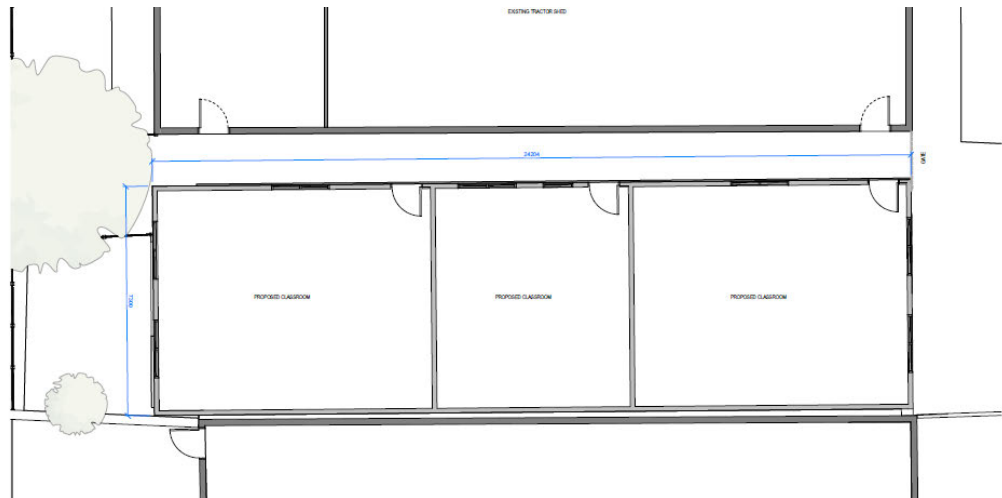
- 3.2 As one can appreciate from reading through the planning history, the site has been the subject to a higher number of applications than would normally be expected for a typical farm. The various approved (and implemented applications) evidence that the site has been performing more as a place of *agricultural education*, rather than a traditional commercial farm since at least 1997, with various classrooms, training workshops, laboratories and staff rooms all now occupying the site.

4.0 THE PROPOSED DEVELOPMENT

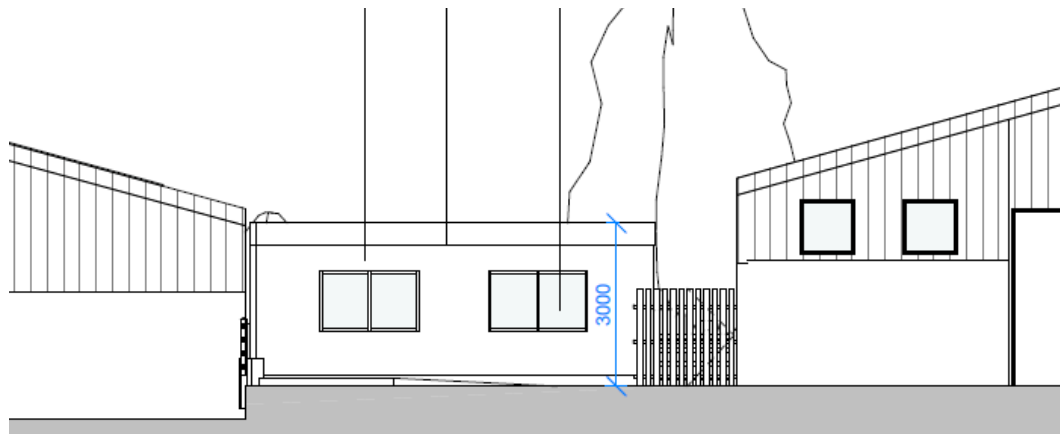
- 4.1 As described in Section 1 of this report, the proposed description of works comprises the following works:

“Construction of a detached single storey building comprising three classrooms.”

- 4.2 A single storey modular building is now proposed in the place of the recently removed classrooms.
- 4.3 This single storey, flat-roofed building comprises 3 replacement classrooms which will enable Barnsley College to continue to provide their curriculum from Wigfield Farm.
- 4.4 The new classroom block will fit neatly between the two larger barns on site. The overall footprint is 176.68sqm in a building which measures 24.2m length by 7.3m width. The height of the building will be 3m from ground level to parapet, providing 2.4m internal headroom.



GROUND FLOOR PLAN



EAST ELEVATION

- 4.5 In terms of external appearance, the extension will be finished in a plastisol steel cladding in a goosewing grey finish with anthracite fascia panels, with uPVC windows and doors. It should, however, be noted that there is no requirement for appearance of an extension to be finalised in order for a Class M application to be approved.

5.0 PERMITTED DEVELOPMENT COMPLIANCE

- 5.1 The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 7, Class M, permits **the erection, extension or alteration of a school, college, university, prison or hospital building** without planning permission under permitted development rights. These rights were extended in April 2021 (SI 2021/428) to give extended rights within this Class of works, and adjusted again more recently in 2023.
- 5.2 Works have not yet commenced, as the applicant wants assurances from the Local Planning Authority that these works can occur without planning permission. This application is seeking confirmation that the proposed alterations and extension **would be lawful** and in accordance with permitted development rights (Schedule 2, Part 7, Class M of the General Permitted Development Order), via an application made under S.192 of the Town and Country Planning Act.
- 5.3 In terms of the substance of this application, the proposed development would comprise an **erection of a college building**, thus fulfilling the primary description of the permitted development set out in Schedule 2, Part 7, Class M of the Order.
- 5.4 There are additional requirements and conditions of this type of development in order for it to be considered permitted development. The below table provides the text of the legislation in the left-hand column, with a commentary on compliance with regard compliance in the right-hand column.

DEVELOPMENT NOT PERMITTED	
DEVELOPMENT IS NOT PERMITTED BY CLASS M....	ASSESSMENT IN RELATION TO BARNSELY COLLEGE
(a)if the cumulative footprint of any erection, extension or alteration under Class M on or after the relevant date would exceed the greater of— (i)25% of the cumulative footprint of the school, college, university, prison or hospital buildings as it was on the relevant date; or (ii)250 square metres; (relevant date" means 21st December 2023 in the case of the development of an open prison building and 21st April 2021 in the case of all other development)	Of the two criteria, the <u>greater</u> figure is 25% of the cumulative footprint of the college buildings as they were on 21st April 2021. Firstly, the interpretation section of Class M clarifies that "where 2 of more original buildings are within the same curtilage and are used for the same institution, they are to be treated as a single original building in making any measurements". Secondly, the assessment of what qualifies as a "college building" is evidenced in Section 5.5 of this Planning Statement. The cumulative footprint of the <u>college buildings</u> as it was on 21st April 2021 has been mapped, with the evidence verified by the College prior to this submission. See drawing WFC-SEV-ZZ-ZZ-D-A-00523 P02 submitted with this application. The cumulative footprint of college buildings has been calculated as 3,438.2sqm 25% of this figure is 859.55sqm. This represents the <i>maximum</i> amount of cumulative footprint which can be delivered under Class M. This proposal has a GEA footprint of 176.6sqm, which represents to 5.1% of the total April 2021 footprint, significantly below the 25% threshold. No other development at this campus has been carried out under Class M of the GPDO which should be considered as part of this 25% assessment.

DEVELOPMENT NOT PERMITTED	
DEVELOPMENT IS NOT PERMITTED BY CLASS M....	ASSESSMENT IN RELATION TO BARNSELY COLLEGE
	With the proposed footprint, representing a 5.1% addition over the April 2021 benchmark footprint, the development is considered compliant with this criteria, being below 25% limit. COMPLIANT
<i>(b) in the case of a college, university, prison or hospital building, if any part of the development would be within 5 metres of a boundary of the curtilage of the premises;</i>	The proposed building site centrally within the site. The nearest boundary (south) is 77m from the boundary at its closest point. COMPLIANT
<i>(ba) in the case of a school, where any land adjacent to the site is used for a purpose within Part C of the Schedule to the Use Classes Order (residential purposes), if any part of the proposed development is within 5 metres of the boundary of the curtilage of that residential land;</i>	The development does not relate to a school. NOT APPLICABLE
<i>(c) if, as a result of the development, any land used as a playing field at any time in the 5 years before the development commenced and remaining in this use could no longer be so used;</i>	The site has never historically supported playing fields, therefore the development does not involve building upon playing fields. COMPLIANT
<i>(d) if the height of any new building erected would exceed— (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres; or (ii) in all other cases, 6 metres;”;</i>	This proposal is a new building which is more than 10m from a boundary of a curtilage of the premises, therefore a 6m height limit is imposed. Elevations provided with the application show the new building as 3m in height, well below this height limitation. COMPLIANT
<i>(e) if the height of the building as extended or altered would exceed— (i) if within 10 metres of a boundary of the curtilage of the premises, the lesser of the height of the building being extended or altered or”5 metres; or (ii) in all other cases, the height of the building being extended or altered;</i>	The development is not an extension or alteration. NOT APPLICABLE
<i>(ea) if the height of any rooftop structure would exceed 1.5metres above the height of the new building or the building as extended or altered (as the case may be)</i>	No rooftop structure is proposed. COMPLIANT
<i>(f) if the development would be within the curtilage of a listed building; or</i>	The development is not within the curtilage of a listed building.

DEVELOPMENT NOT PERMITTED	
DEVELOPMENT IS NOT PERMITTED BY CLASS M....	ASSESSMENT IN RELATION TO BARNSELY COLLEGE
	NOT APPLICABLE
(g) unless— (i) in the case of school, college or university buildings, the predominant use of the existing buildings on the premises is for the provision of education; (ii) in the case of hospital buildings, the predominant use of the existing buildings on the premises is for the provision of any medical or health services. (iii) in the case of prison buildings— (aa) the predominant use of the existing buildings on the premises is for the confinement of prisoners and; (bb) in the case of a closed prison, the development does not involve the erection, extension or alteration of any building beyond the perimeter as it stood on the relevant date	Part (i) is applicable. The site comprises Wigfield Farm, which is a campus of Barnsley College. Whilst it is accepted that not all of the existing buildings on site are used for the provision of college education in 2026, drawing WFC-SEV-ZZ-ZZ-D-A-00522 P02 has identified without question that the predominant use of buildings within the site is for the purposes of the college's education curriculum. This is also discussed further in section 5.13 of the Planning Statement. COMPLIANT

CONDITIONS	
DEVELOPMENT IS PERMITTED BY CLASS M SUBJECT TO THE FOLLOWING CONDITIONS—	ASSESSMENT IN RELATION TO BARNSELY COLLEGE
(a) the development is within the curtilage of an existing school, college, university, prison or hospital;	As evidenced by the Site Location Plan, the red line containing the area of works falls within the curtilage of the Barnsley College Wigfield Farm Campus. This is developed further in section 5.17 of the Planning Statement. COMPLIANT
(b) the development is only used as part of, or for a purpose incidental to, the use of that school, college, university, prison or hospital;	The entire development will solely be used as part of the College operation, providing teaching facilities, replacing three classrooms which were recently removed from the site. COMPLIANT
(c) any new building erected is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the original school, college, university, prison or hospital buildings;	This development is a new building, but is not on Article 2(3) land. NOT APPLICABLE
(d) any extension or alteration is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the building being extended or altered	This development is a not an extension or alteration, nor is it on Article 2(3) land. NOT APPLICABLE

CONDITIONS	
DEVELOPMENT IS PERMITTED BY CLASS M SUBJECT TO THE FOLLOWING CONDITIONS—	ASSESSMENT IN RELATION TO BARNSEY COLLEGE
<i>(e) where proposed development under Class M relates to the erection, extension or alteration of a school building that results in an increase in the school's published admission number, the developer must, within a period of six months starting with the date the development is completed, submit to the local planning authority a travel plan for the site;</i>	This development does not relate to a school building. NOT APPLICABLE
<i>(f) where proposed development under Class M relates to the erection, extension or alteration of a university building, development is permitted subject to the condition that before beginning the development the developer applies to the local planning authority for a determination as to whether the prior approval of the authority will be required as to— (i) transport and highways impacts of the proposed development; (ii) the design and external appearance of the erection, extension or alteration; or (iii) the impact of the development on heritage and archaeology;</i>	This development does not relate to a university building. NOT APPLICABLE
<i>(g) an application required under paragraph (f) is to be made and determined in accordance with paragraph M.2A (procedure for applications for prior approval under Class M);</i>	This development does not relate to a university building. NOT APPLICABLE
<i>(h) development approved pursuant to an application under paragraph (f) is permitted subject to the condition that it is completed within a period of three years starting with the prior approval date]</i>	This development does not relate to a university building. NOT APPLICABLE
<i>(i) where proposed development under Class M relates to the erection, extension or alteration of an open prison building, before beginning development the developer must— (i) assess the contamination and flood risks of the development; (ii) identify measures to reduce, so far as practicable, any contamination or flood risks of the development; (iii) where the development is in an area within Flood Zone 3, carry out prior consultation in accordance with</i>	This development does not relate to an open prison building. NOT APPLICABLE

CONDITIONS	
DEVELOPMENT IS PERMITTED BY CLASS M SUBJECT TO THE FOLLOWING CONDITIONS—	ASSESSMENT IN RELATION TO BARNSELY COLLEGE
paragraph M.2B (procedure for prior consultation under Class M); and (iv) provide written notification to the local planning authority of the proposed development with the documents and information listed in sub-paragraph (j);	
(j) the documents and information specified in sub-paragraph (i)(iv) are— (i) a written description of the proposed development; (ii) a plan indicating the site and showing the proposed development; (iii) a drawing, prepared to an identified scale, showing— (aa) in the case of a building to be erected, the proposed external dimensions and elevations of that building; and (bb) in the case of a building to be extended or altered, the external dimensions and elevations of that building both before and after the proposed extension or alteration; (iv) the proposed commencement date; (v) written confirmation that development will not take place on any land used as a playing field, and remaining in that use, at any time in the 5 years before the proposed commencement date; (vi) the developer's contact address; and (vii) the developer's email address if the developer is content to receive communications electronically.	This development does not relate to an open prison building. NOT APPLICABLE

DEFINITION OF COLLEGE BUILDINGS

5.5 M.1(a) of the Legislation requires an assessment of the cumulative footprint of the “college buildings” as it was on 21st April 2021. It is important to explain the rationale over how college buildings has been determined for the purposes of this application and why these buildings have been included within this assessment, as some buildings could be interpreted as being agricultural rather than educational. Several factors inform this consideration.

5.6 An April 2021 Site Location Plan has been developed using resources such as Google Earth Pro and planning applications to verify the footprint of buildings on this benchmark date. This plan confirms the number of “buildings” within the site on this date. It is then a requirement to determine the “college buildings” within this site as of this April 2021 date. The rationale for this determination is below.



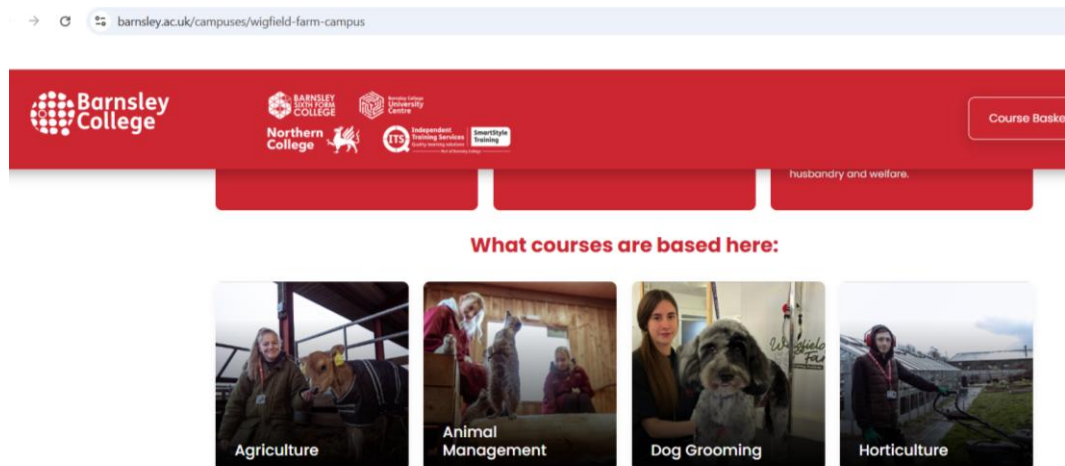
GOOGLE EARTH PRO VERIFIED PLAN 23 APRIL 2021

- 5.7 Firstly, the College has confirmed to NTA Planning that there is no commercial agricultural enterprise on the site. Animals and plants are kept solely for educational delivery and incidental public engagement. With no commercial enterprise the site cannot be considered primarily as an agricultural farm with incidental education. In contrast, the site is considered to be a college site primarily. Should Barnsley College surrender their lease, there would be no agricultural operation to continue on the site.
- 5.8 Secondly, the Valuation Office Agency (VOA) has assessed the entire site under a single description of “College and Premises” (see Appendix One). This is a third-party, independent, administrative determination that the site functions primarily as a unitary college estate. Agricultural land and buildings used solely for agriculture are generally exempt from business rates, so the fact that Wigfield Farm pays commercial rates (and pays them as a “college and premises”) further supports the position that the buildings within the site should be considered as a “College” site with college buildings therein.

Address	Description
Wigfield Farm, Haverlands Lane, Worsbrough, Barnsley, South Yorkshire, S70 5NQ	College and premises

VOA RATES EXTRACT

- 5.9 Thirdly, NTA Planning has been shared the lease which Barnsley College has with Barnsley Council for this site. This lease applies to the entire farm site, fields and buildings, not specific buildings within a larger agricultural estate. Clauses 4.8 and 4.9 of this lease controls the operations which can occur on site, with education and agricultural uses both referred to explicitly as acceptable operations. Such provisions would not typically exist on a traditional agricultural lease. This lease can be provided to the planning dept upon request, or requested directly from the Council Estates Dept directly.
- 5.10 As a result of the above findings, it is considered appropriate to include all buildings which are used by Barnsley College to provide their education curriculum within the definition of “college buildings”. Given that the courses being provided at Wigfield Farm are a) Agriculture, b) Animal Management, c) Horticulture and d) Dog Grooming, all of the buildings required for these courses to take place are included in the “college building” determination. Staff/student common areas are also reasonably included.



EXTRACT FROM BARNSELY COLLEGE WEBSITE

- 5.11 Some buildings have been excluded from this calculation (such as a public café to the south, or nursery buildings to the north) as they are not used by the College staff or students, which is a reasonable position to take.
- 5.12 The resulting cumulative footprint of *College Buildings* as of 21st April 2021 has been calculated as **3,438.2sqm**, resulting in potential additions of **3,438.2sqm** of additional footprint delivered via Schedule 2, Part 7, Class M of the GPDO. (See drawing WFC-SEV-ZZ-ZZ-D-A-00523).



April 2021 College Buildings Site Plan
1 : 1000

2021 COLLEGE BUILDINGS PLAN

PREDOMINANT USE OF EXISTING BUILDINGS FOR THE PROVISION OF EDUCATION

- 5.13 M.1(g)(i) restricts Class M development, *“unless... the predominant use of the existing buildings on the premises is for the provision of education”*. This restriction is not an assessment of an April 2021 baseline position (as per M.1(a)), but is merely an assessment of the predominant use of the existing buildings on site as of the date of the Class M development. Therefore, an August 2026 review of the existing buildings on site should occur, and it must be demonstrated that, of the buildings identified, they are predominantly used for the provision of education.
- 5.14 In terms of town planning, the definition of “predominant” is typically defined as *“a use that occupies the largest proportion of floor area, land area, or activity on a site, and which characterizes or defines the overall nature of that site — even if other uses are also present”*.
- 5.15 As discussed earlier within this Statement, it is reasonable and justifiable to define college buildings as all buildings used by Barnsley College to deliver their curriculum within the Wigfield Farm campus. Any buildings not used by the college on site have been excluded.



August 2026 Education use Site Plan
1 : 1000

2026 PREDOMINANT USE OF BUILDINGS FOR THE PROVISION OF EDUCATION

- 5.16 The results show that, of the 30 buildings and structures identified on site, 26 of these are used for the provision of education. In terms of footprint, 2901.6sqm of buildings are used for the provision for education, whilst 633.8qm of buildings are not. Whatever metric above is relied upon, it is clear that the predominant use of buildings within the site is for the provision of education, satisfying subsection M.1(g)(i).

WITHIN THE CURTILAGE OF AN EXISTING COLLEGE

- 5.17 M.2(a) places a conditional requirement of Class M development to only occur within the *curtilage of an existing... college.* The Court of Appeal decision *Skerritts of Nottingham Ltd v Secretary of State for the Environment, Transport and the Regions [2000]* where it was emphasised that the question of curtilage turns on multiple considerations, including physical layout, historical and present ownership, and function. Factors which support the fact that the entire Wigfield Farm should be considered as the “curtilage” of the college are as follows:

- The entire site is clearly cited as being one of several campuses for which Barnsley College promote their education services; the site is not subdivided into several building addresses.
- Barnsley College enjoys a lease for the entire site, which has continued in an uninterrupted manner for c.30 years. The buildings within the site and wider fields are used as part of the delivery of their curriculum. It should also be noted that an area to the south of Haverlands Lane is also included within the lease, however this area has been excluded from the assessment of the curtilage of the college, due to its physical detachment from the main farm site.
- Commercial rates are paid at the entire address as a “college and premises”. Rates are not paid for individual buildings or
- The predominant use of buildings within the site have been demonstrated to be for the provision of education.

- 5.18 With a long-standing College lease existing for a large area beyond the buildings, and the predominant use of buildings within the site being use for college education purposes, it is an entirely reasonable conclusion that the proposed development falls within the curtilage of an existing college, satisfying subsection M.2(a).



EXTRACT FROM COLLEGE LEASE



2026 CURTILAGE OF THE COLLEGE SITE PLAN

2022 PRIOR APPROVAL APPLICATION

- 5.19 The Applicant is aware that within the planning history referred to in Section 3.0 of this report, the site has previously benefitted from other permitted development rights, usually available to traditional farms. When a potential Class M development was being considered for Wigfield Farm campus, Barnsley Council planning dept informally raised this matter and advised that the College satisfies itself that they can benefit from such PD rights at this site.

Class A – Prior Approval

- 5.20 Application reference 2022/0202 sought Prior Approval from Barnsley Council for the following development: *“Erection of tractor shed and hay store agricultural building”*. This was approved in March 2022. The permitted development right cited when applying for this application was Schedule 2, Part 6, Class A of the GPDO 2015. In confirming that Prior Approval was not required, officers at Barnsley Council were satisfied that the application met the requirements within the GPDO. This position merits some clarity to inform the Council as to why a Schedule 2, Part 7, Class M development is also being promoted on this site.
- 5.21 Part 6 Class A development is a “use-blind” permitted development right. The requirement for this permitted development right to be utilised is that the building proposed must be *“reasonably necessary for the purposes of agriculture”* within an agricultural unit. This is a constrained and isolated assessment to be undertaken by planning depts when assessing such Prior Approval applications.
- 5.22 “Agriculture” is defined in s.336 of the Town and Country Planning Act 1990 as including *“horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly.”* This relatively broad definition does not require agricultural operations carried out for a commercial purpose only or restrict the operations on site in any way via exclusions within the Use Class Order, for example.
- 5.23 The s.336 definition is activity-based and does not distinguish between agricultural activity carried out for commercial purposes and agricultural activity carried out for teaching purposes, such as what is occurring at Wigfield Farm. A barn housing a teaching herd is just as “agricultural” as one housing a commercial herd in accordance with the definitions within the Town and Country Planning Act 1990.
- 5.24 Therefore, if Barnsley College developed a requirement for a new building for additional agricultural educational activities to facilitate their curriculum on site, the utilisation of Part 6, Class A was the correct mechanism to achieve this.

5.25 Reviewing the 2022 Prior Approval application, the proposed development was for “*the erection of a tractor shed and hay store agricultural building*”. The application was made in the name of Barnsley College, the building comprised a staff room a tractor maintenance shed/store and hay store. Such uses align with the uses being reasonable for agricultural operations, but also for the agricultural related curriculum to be taught on site.

5.26 This 2022 Class A building was always agriculturally necessary in the Class A/s.336 sense, because it functions in support of the agricultural operations on the unit — but those operations exist entirely in service of educational delivery, which has been the site’s predominant institutional purpose for more than 30 years.

Class M – Lawful Development Certificate

5.27 The rationale for this application being brought forward via Schedule 2, Part 7, Class M primarily relates to the function of the proposed new building being proposed on site, which are three classrooms. Whilst these buildings will support the college in the delivery of their curriculum, it is considered that such operations would fail the test of being “reasonably necessary for the purposes of agriculture”, which is a requirement of Part 6, Class A.

5.28 Class M asks about the predominant institutional character of the site as a whole — there is no reference to the Use Classes Order whatsoever within this section of legislation. It applies a purely functional “predominant use” test. Crucially, it also does not exclude buildings connected with any previous agricultural Prior Approval (whereas other parts of the GPDO do make such exclusions). An assessment of the predominant use of the buildings within the site has been carried out and it is clear that the use of the majority and predominant use of buildings within the site are for the benefit of Barnsley College staff and students.

5.29 Condition M.2(d) conditionally requires developments to be “*only used as part of, or for a purpose incidental to, the use of that... college...*”. The construction/installation of three new classrooms for Barnsley College easily falls within this conditional requirement.

ARTICLE 4 DIRECTIONS

5.30 An Article 4 Direction is a part of planning legislation that allows a Council to remove permitted development rights for a particular area in certain limited situations where it is necessary to protect local amenity or the well-being of an area. An Article 4 Direction does not prevent the development to which it applies but instead requires that planning permission is first obtained from the council for that development, rather than relying on permitted development rights.

5.31 Whilst Barnsley Council has introduced a borough-wide Article 4 Direction to restrict permitted development rights to convert dwellinghouses (C3) to small HMOs (C4), there is no Article 4 Direction which restricts College development via Class M, thus ensuring that officers can positively consider this application.

RESTRICTIVE PLANNING CONDITIONS

5.32 With Barnsley College delivering intermittent development to Wigfield Farm over the last 30 years. it is also prudent to review any extant planning conditions to ascertain whether or not permitted development rights (either Class M) have been restricted through planning condition.

5.33 NTA Planning has reviewed all decisions which granted planning permission at the Wigfield Farm campus since 2002, which is what is available online. Whilst not all decisions are available online, no decision or restrictive condition has been identified which would restrict Class M permitted development rights from being exercised.

5.34 To conclude the additional justifications:

- The definition of “college buildings” has been clearly considered and defined as part of this exercise.
 - The April 2021 footprint of “college buildings” has been confirmed as 3438.2sqm, therefore allowing an additional footprint of up to 859.55sqm within the Barnsley College - Wigfield Farm Campus.
 - It has been demonstrated that the predominant use of “buildings” within the site as of August 2026 are for the provision of education.
 - The proposed development falls within the curtilage of an existing college campus.
 - A 2022 Prior Approval for an agricultural building (Part 6, Class A) does not prevent Part 7, Class M permitted development rights from equally being permissible at this site.
 - There is no Article 4 Direction on site which prevents Class M PD rights from being utilised.
 - No planning condition to restrict Schedule 2, Part 7, Class M PD rights have been identified.
- 5.35 A Lawful Development Certificate should therefore be granted for the proposed operation, namely the erection of a single storey classroom building within the site.

6.0 SUMMARY AND CONCLUSIONS

6.1 This Statement is to accompany an application for a Lawful Development Certificate (proposed) to confirm that the erection of a single storey building comprising three classrooms at Barnsley College's Wigfield Farm Campus is permissible via permitted development rights as set out in The Town and Country Planning (General Permitted Development) (England) Order 2015.

6.2 Specifically, we are seeking confirmation from the Local Planning Authority that the following development would be lawful:

"Construction of a detached single storey building comprising three classrooms."

6.3 Section 5 of this report demonstrates that the proposed development falls within the allowances of Schedule 2, Part 7, Class M of The Town and Country Planning (General Permitted Development) (England) Order 2015, as amended by 2021 and 2023 Statutory Instruments.

6.4 Having undertaken a full assessment of the development against adopted legislation, it is confirmed that the proposed development complies with the requirements of the General Permitted Development Order, and a Lawful Development Certificate can be issued.