

Description

Marsdens Farm is a dairy farm located off Liley Lane, Millhouse Green. The Farm is surrounded by open fields in the Green Belt. Marsdens Farm currently consists of a number of modern agricultural buildings, a stone built barn and the stone built farm house – Liley Farm which was approved as an agricultural workers dwelling in 2003 under application 03/1250.

The proposed development is located within the broader ownership of Liley Farm which comprises of several modern and traditional agricultural buildings. The proposed water bottling unit is a large rectangular shaped modern agricultural building located towards the southern boundary of the site ownership. Agricultural operations are still taking place on the site.



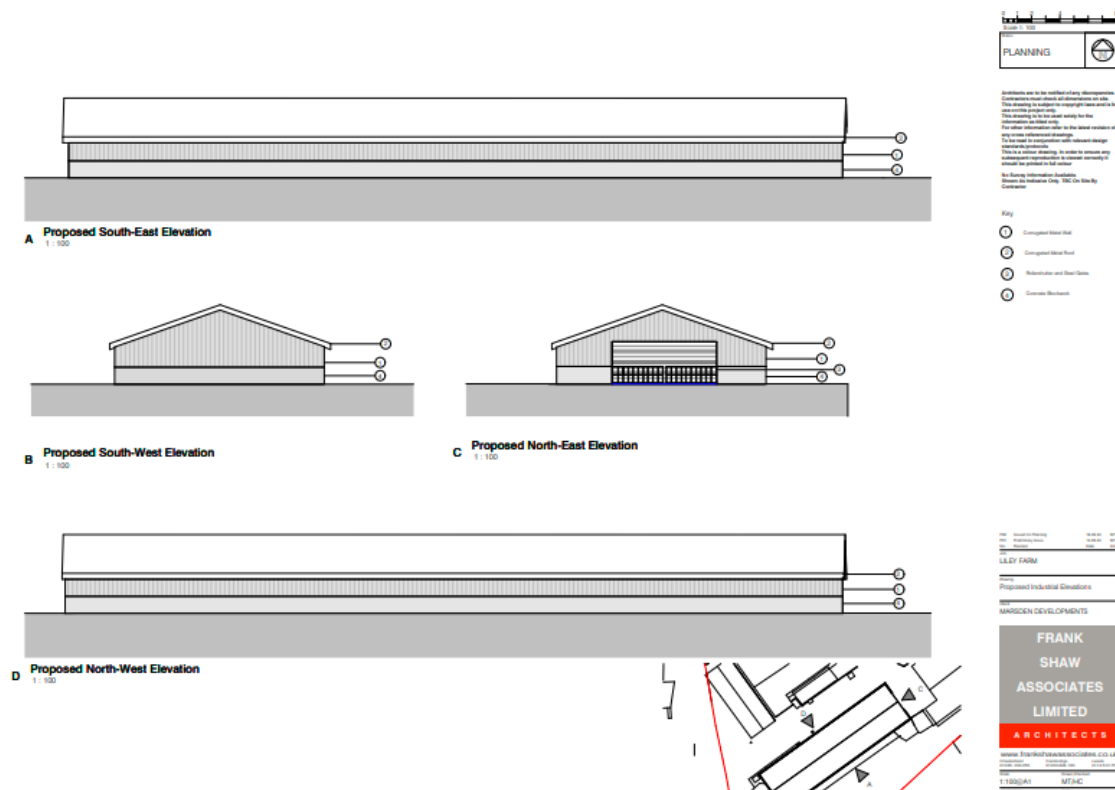
Proposed Development

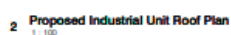
This application proposes the change of use of an agricultural building at Liley Farm to a water bottling facility (Use Class B2). The proposed water bottling unit is a large rectangular shaped modern agricultural building located towards the southern boundary of the site.

At this stage, the application relates solely to the change of use of the building. Any additional physical alterations or construction works requiring planning permission are to be addressed in separate planning application/s at a later stage.

The Transport statement states that the B2 Industrial Unit: 1 Space per 60m² would require 14 parking spaces which have been demonstrated on a site plan. Using the employment densities specified by the Local Planning Authority (LPA) for the Local Plan, it has been determined within the statement that the proposed development could possibly create 23 jobs. The applicant has also confirmed that the proposals will involve two trips per day for water haulage, resulting in approximately four round trips to and from the site. The site will retain its current access from Liley Lane in the form of a simple priority-controlled T-junction. It is the intention that the internal arrangements within the site will allow the water bottling facility and the retained agricultural elements to operation concurrently.

Given that the applicant has submitted a further application for a proposed office use at the site, the agent has submitted an amended Transport Statement which details possible cumulative impacts, should both proposals be implemented.





Industrial Unit 202	
Name	Area
Industrial Unit 202	100 sq

Industrial Unit 203	
Name	Area
Industrial Unit 203	100 sq

750	Issued to Training	10,000.00	1
751	Outstanding Issue	10,000.00	1
752	Balance	0.00	

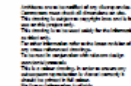
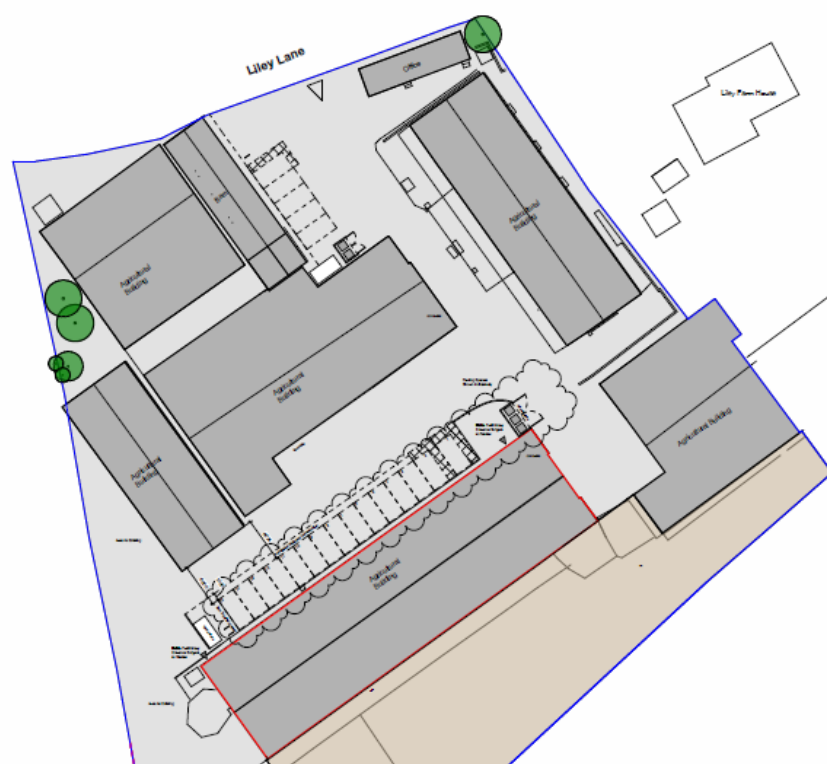
U.S. DEPARTMENT OF COMMERCE

Proposed Industrial Unit Plans and Roof Plan

SAADATKHAN, DOUGLAS, ORLANDO, ET AL.

FRANK
SHAW
ASSOCIATES
LIMITED

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[illegible]

- Key
- Red line: New Boundary
 - Blue line: New Community
 - Grey square: Existing Towns (Not including the new addition)
 - Brown square: Existing Towns (Including the new addition)
 - Yellow triangle: Precinct

**Scenario Level Plan SPD For Parking
Supply Requirements:**

No. Office Car Parking Spaces = 8

No. Office Disability Car Parking Spaces = 0

No. Long Stay Cycle Space = 1

No. Short Stay Cycle Space = 1

Refuse = 2 x 1000mm Box

700	Should be Showing Full Month	1/1/11-2/1
700	Showing only 1st Half of 1st Month	1/1/11-2/1
	2nd Half of 1st Month	
	1st Half of 2nd Month	
700	Full 2nd Month	1/1/11-2/1
700	Full 2nd Month	1/1/11-2/1

LUCY PARM

100

MASSOON DEVELOPMENTS

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[illegible]Proposed Industrial Unit Site Plan
1:300

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 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.

The following policies are also of relevance:-

Policy E6 Economic development in rural areas
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

Penistone Neighbourhood Development Plan 2019

BE1: Design of the built environment

Consultations

Penistone Town Council – No comments received

Enterprising Barnsley - Enterprising Barnsley actively support this application that will help to create much needed new employment space in the West of the borough and help to support farm diversification. This development is essential in helping BMBC and SYMCA to create future employment opportunities (jobs) as per the existing strategic economic and corporate plans. Whilst also providing BMBC with a business rate uplift.

Highways DC – No objections to additional detail and amended plans provided

Ecology – No objection subject to conditions

Ward Councillors – No comments received

Drainage – Details to be checked by Building Control

Regulatory Services – No objections to change of use. It is not clear whether there are any residential properties on the site which may be impacted by noise from a bottling operation. If there are then a noise impact assessment may be required to ensure there are no adverse impacts.

Representations

None received

Assessment

Principle of development

Liley 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.

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;

Local Plan Policy GB3 also 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 existing agricultural building is of a permanent and substantial construction and does not require any significant alterations to facilitate the proposed change of use. The building on site will therefore still appear as an agricultural building.

In terms of the loss of the agricultural use, the agent states that Marsdens Farms Ltd is currently exploring options to diversify its existing agricultural operations at Liley Farm to support and ensure the long-term viability of this rural farming business which has been operating from this location since the 1950s.

In line with a growing national trend acknowledged by the Government, the ongoing use of the site as a fully operational farm is no longer financially viable in the current climate. The Applicant is therefore considering options to diversify the farming operation and introduce other rural business proposals alongside this which respect the character of the countryside and can support the ongoing agricultural use. As such, given the above, the replacement of the building for further agricultural uses will not be required.

In addition to the above, policy E6 is supportive of economic 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.

In terms of policy E6, 'preliminary investigations have identified that Liley Farm is a suitable location for the abstraction of water, and the Environment Agency has granted the Applicant an 18-year licence to abstract 30,000 cubic metres of water per year for the purposes of providing a 'commercial supply to bottle water for drinking.' The proposed water bottling facility would generate a reliable diversification income from the existing building on site, and provide employment opportunities in this rural area.

In principle, the proposed change of use is considered to be acceptable in terms of Policy GB3 and the guidance set within the NPPF. 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 building is of a permanent and substantial construction. The agent has confirmed that there would be no requirement for any physical works to any of the existing buildings at this stage.

The bottling facility will be enclosed within the existing building and the building would therefore still appear agricultural in nature externally. A condition should be included to state that the use should be kept within the building in order to protect the visual amenity of the Green Belt. In terms of activity, there would be a requirement for further parking to be provided, however this would be set on existing hardstanding areas and would not extend further into the open countryside. It would be set and screened within the site.

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 established agricultural activity is intensive and has potential for 24hr operation. The site currently is also accessed via HGV vehicles. The Pollution Control Officer has been consulted and has no objection to the proposal.

The main concern would be the noise/disturbance created by the proposed water bottling facility. The works should be contained within the building and should be conditioned as such, Other than the adjacent agricultural workers dwelling, which is used in connection with the site, there are no other dwellings close by that would be impacted by the proposal. A Noise Impact Assessment would not be required as there are no other residential properties close to the site that are not directly involved in the scheme, and given the current 24hr agricultural operation, the proposed bottling facility is to be inside the building at the rear of the site and should not cause any significant additional disturbance. The proposal is therefore acceptable in terms of residential amenity, when measured against policy GB3.

Impact upon Protected Species

The proposal is for the change of use of the existing building with no physical works required at this stage. The bat report submitted with the application concludes that "The nocturnal surveys of the building within the site did not record any roosting bats and they are considered likely absent of roosting bats. Therefore, it is considered that the proposed development will not result in any adverse impacts on roosting bats, and no further mitigation is required."

The Ecology Officer has been consulted and states that the majority of impacts from the proposal are small scale and no bats were recorded during the daytime or evening surveys. The development shall be completed in line with the Preliminary Ecological Appraisal, the Bat Survey report and the conditions of the planning permission.

As the proposal is for the reuse of existing buildings, it falls under the de minimis exemption from BNG requirements. The proposal is in compliance with policy BIO1 of the Local Plan.

Highways

The Highways Officer has been consulted and has no objections to the proposals. The supporting information indicates that the parking provision has been shown to be commensurate with the advice in the council's Parking SPD. Internal turning has been demonstrated by way of swept path analysis and it also has to be acknowledged that the site is already used by large vehicles. The additional information submitted covers the points raised in the previous HDC comments (in terms of cumulative highways impacts with the separate prior approval application submitted for the proposed office use) and the scheme is now deemed acceptable from the perspective of highway development control subject to conditions.

The proposal is therefore acceptable in terms of Highway Safety in accordance with the SPD Parking and Local Plan Policy T4.

Recommendation

Approve subject to conditions