
2022/0869

Applicant: Mr Ian Hitchen

Erection of an agricultural storage building

210 Carlton Road, Athersley South, Barnsley, S71 2AP

Site Description

The application site refers to an area of land to the rear of 210 Carlton Road which is used for agricultural purposes, however the Council has not received an application to establish the past or existing use. The land measures 3900sqm, with access into the site from the East utilising the same access which serves the adjacent Bungalow – no. 210, which is also under the same ownership as the applicant.

The site borders residential properties to the South and East and the remaining section of allocation HS12 to the North. That area is currently laid to grass at present with public access

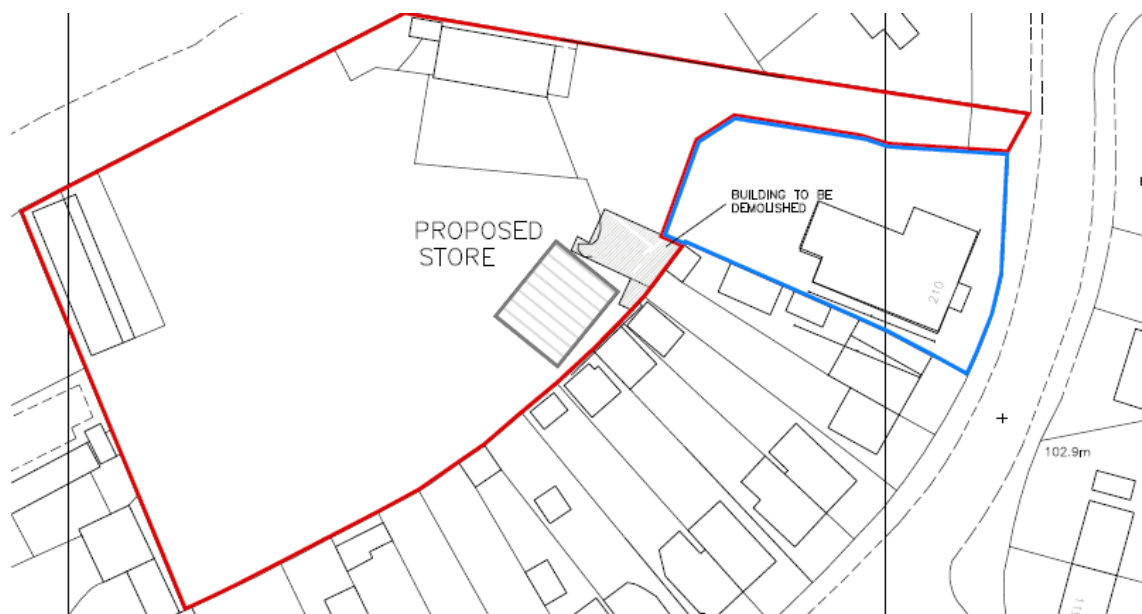
Relevant Site History

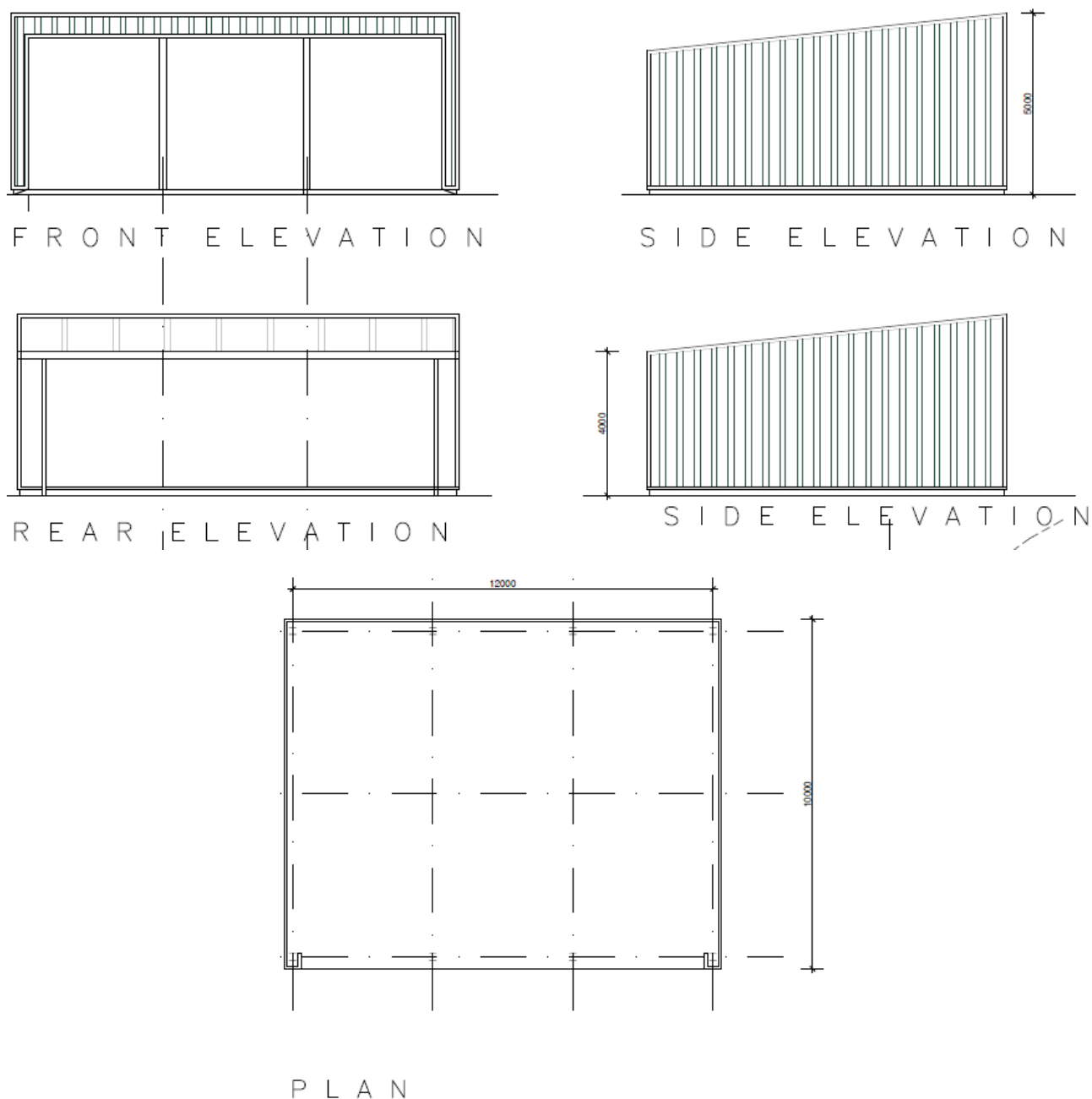
2005/1561 – Residential development of 10 detached and 2 pairs of semi-detached houses with garages (Outline) (Withdrawn)

2019/0230 – Residential development of 14 no dwellings (Outline with all matters reserved apart from means of access) (Refused)

Proposed Development

The applicant is seeking approval for the erection of a detached agricultural store on the Southern boundary line of the site. The application has been amended to reduce the size of the store from 20m x 10m (200sqm) to 12m x 10m (120sqm), measured externally. The store is open fronted (facing North) with three areas to be used for the storage of farm machinery and hay. The planning statement (section 3.5) states that it is the intention to rear breeds of lamb and llama and the building will provide appropriate welfare facilities for the animals to have a safe, warm, and clean environment, as well as storing agricultural machinery including a forklift, JCB, ride-on mower and trailer. The store will also be used to store hay and straw as well as a small tractor and livestock trailer.





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 (adopted January 2019), alongside the Joint Waste Plan and relevant neighbourhood plans, form the statutory development plan for Barnsley. It establishes policies and proposals for the development and use of land up to the year 2033 and will be used when considering planning applications and to coordinate investment decisions that affect the towns, villages and countryside of Barnsley. The Local Plan supersedes the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

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

In reference to this application, the following policies are relevant:

GD1: General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents.

GD2: Temporary buildings and uses – Temporary buildings will normally be allowed where it can be demonstrated that a permanent building is either not suitable or that urgent accommodation is needed pending the completion of a permanent building. A maximum period of 5 years will be granted for temporary buildings.

D1: High Quality Design and Place Making – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

H3: Uses on allocated housing sites – the sites shown on housing sites on the Policies map will be developed for residential purposes. Other uses on these will only be allowed where:

- They are smallscale and ancillary to the housing elements; and
- They provide a service or other facility for local residents.

T4: New Development and Transport Safety – New development will be expected to be designed and built to provide all transport users within and surrounding the development with safe, secure and convenient access and movement.

Poll1: Pollution Control – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people. Developers will be expected to minimise the effects of any possible pollution and provide mitigation measures where appropriate.

Supplementary Planning Documents

- Parking
- Residential amenity and the siting of buildings

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.

In respect of this application, the policies above are considered to reflect the 4th Core Principle in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings. They also reflect the advice in section 12 (achieving well-designed places), especially paragraph 134, which state that 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.'

Consultations

Biodiversity Officer – No objection and agreed with the findings of the preliminary ecological appraisal. A condition should be attached which ensures that the recommendations of the appraisal are implemented in full according to the timescales laid out.

Forestry Officer – No comments

Highway Drainage – No objections raised.

Highways DC – No objections.

Pollution Control – No objections.

SYAS – No sites are recorded nearby on the South Yorkshire HER and there is little to indicate archaeological activity. Alongside the small scale of the development, there is unlikely to be an archaeological impact and, as such, SYAS have no concerns with this application.

Ward members – No comments

Representations

Neighbour notification letters were sent to surrounding residential properties and a site notice placed nearby. Two comments were received by neighbouring properties which raised concern with the following elements:

1. Use of the building – Recently, a large number of commercial supplies have been arriving on site and there is concern that the building will be used as a supplement to the applicant's business. There are a small number of animals on site which already contains a stable and storage building.
2. Concerns that the applicant will not stay in the parameters of the plans if they are approved and that the building will be larger and used for different purposes than it is intended.

Other non-related considerations have been raised such as past ongoing on the site such as fires burning producing black smoke and noisy activities such as wood chopping, alongside land ownership issues.

Assessment

Principle of development

There is no approved planning history for the agricultural use of the site, with the only planning applications on the land being in relation to the bungalow (B/89/1748/BA) and for residential development, which was withdrawn (2005/1661) and refused (2019/0230). However, the applicant's planning statement has argued that the site is argued to have been used as an agricultural smallholding use for over 45 years to rear animals such as cows, horses, sheep, goats and chickens. Further evidence has been submitted with a signed letter from a neighbouring arguing this to be the case. The site currently contains a stable, animal holding pen and a building to store farm machinery. The aerial photographs from 2009 and 2013 provide some evidence that the site has been used for these purposes showing the stable building (in the North-East of the site) and various items such as hay and feeding barrels in various positions within the site.

The application site is located within an allocated housing site – HS12, with the application site residing at the South-East corner of the larger allocation site. The development therefore needs to comply with Local Plan Policy H3 which states that development on such allocated housing sites should be allocated solely to residential purposes, but other uses may be acceptable if they are small scale and ancillary to the housing elements and provide a service or other facility for local residents.

The proposed development clearly does not comply with Local Plan Policy H3 as it is for an agricultural store which does not serve the local residents, nor will it be ancillary to the housing elements. However, it is felt that there are some mitigating measures to consider with this particular application.

Firstly, the store is partially to replace an existing building which measures 75sqm (externally) and is used to store agricultural machinery. The proposed building is larger than this and was initially proposed with a footprint of 200sqm but has now been reduced to 120sqm (12m x 10m), with a reduced height of 4m on the rear elevation and 5m on the front elevation – with a slightly sloping roof.

The agent has provided details in regard to the existing use of the land, covered in the planning statement and the site visit showed stables and other agricultural buildings on the plot, alongside animals. Information has also been provided in regard to what the store/site is intended to hold, with the building being split into three main compartments which are to hold machinery, hay and animals. Again, this is partially to replace the existing alongside forming a building more fit for purpose. A photo example has been provided by the agent indicating what type of machinery is to be stored within the building, which provides some evidence to indicate the need for its size.

The development does not seek to change the use of the land and is to support the current use. A temporary permission is considered to be appropriate in this instance allowing for 3 years which is in compliance with Local Plan Policy GD2: Temporary buildings which states that a maximum of 5 years should be given for temporary permissions. Given that this is on an allocated housing site, a lesser period is therefore considered to be appropriate.

The Council has a duty to provide enough new homes in the borough over the Local Plan period, in the right places with allocated sites clearly playing an important role in achieving this goal. Hence, allocated sites need to be protected from non-residential development, as per the wording and requirements of Local Plan Policy H3. However, in the case, the agent has agreed to reduce the scheme in terms of size and to a temporary period and has confirmed that the store will be fixed on site using bolts rather than digging foundations etc. It is a temporary structure, to replace an existing building of a fairly similar size and is to support the existing use of the land rather than seeking to change it. As such, whilst the development does not comply with Policy H3, it is considered that the development does arguably not have a long-term impact on the feasibility of bringing the allocated site forward given it is temporary, does not change the use of the land, replaces an existing (now dilapidated structure) and its use can be strictly controlled through planning conditions.

Residential Amenity

The proposed agricultural store is located on the Southern boundary line of the site which is shared with residential dwellings. The rear elevation of the proposed store is located 26m from the rear elevation of the nearest residential dwelling (no. 200). The Council's SPD: Residential Amenity and the Siting of buildings states that any non-residential building at single or two storey height should be a minimum 25m from the nearest habitable rooms in any nearby dwelling.

Additionally, the majority of the neighbouring properties at this section of Carlton Road contain detached outbuildings of various sizes on their respective rear (Northern) boundary lines. These provide visual and physical separation between the proposed store and the neighbouring dwellings/garden areas. The store's footprint has been reduced in scale from 200sqm to 120sqm, which in comparison to the wider site (measuring 3900sqm) is considered to be proportional for the proposed use. It is also to replace an existing building measuring 75sqm. The store also measures 4m to the roof ridge at the rear, rising to 5m on the front which is somewhat similar in height to several of the existing outbuildings within the respective neighbouring garden areas.

Given the sufficient separation distance, the presence of existing domestic outbuildings and its sitting to the North, the proposed outbuilding is not considered to have an overbearing impact on the neighbouring properties.

There have been concerns raised by neighbouring residents that the site will be used to store commercial vehicles, materials, and equipment to support the applicant's separate business. The applicant has not denied owning a business but has confirmed that the proposed development and application site is independent to this entity. Details regarding the animals currently stored on site and the future expectations for growth in animals (specifically the arrival of 4 highland cows dependent on the success of this application) have been provided, and on balance the council has no reason to doubt that the store will be used for agricultural purposes. The use of the building can be restricted by several planning conditions which ensures that the building will only be used for agricultural purposes, the holding of such animals and machinery used for agricultural purposes on the land only.

On balance, the impact on residential amenity is considered to be in compliance with Local Plan Policy GD1 and the SPD for Residential Amenity and the siting of buildings and is acceptable, subject to condition restricting the use of the building/site for such purposes.

Visual Amenity

The building is designed to be rectangular in shape with an open-sided frontage (facing North) and a slightly sloping roof (North to South). It is to be constructed from metal corrugated cladding on the exterior and will appear primarily as a modern agricultural building. The footprint size of the building has been scaled back from 200sqm to 120sqm, and the roof height on the frontage has been reduced from 6m to 5m.

The size and scale of the building is now considered to be acceptable. The proposed development is in compliance with Local Plan Policy D1 and is acceptable in terms of visual amenity and design.

Ecology

A preliminary ecological appraisal has been submitted to the Council which colleagues in Ecology have assessed. The ecologist response outlines the following:

- The site is located within a Site of Special Scientific Interest (SSSI), Impact Risk Zone (IRZ). However, the development type is not listed as having a likely risk upon the SSSI within this zone, as such the LPA would not be required to consult Natural England, in this instance.
- The development shall be completed in line with the recommendations in the Preliminary Ecological Appraisal Report and the conditions of the planning permission. All the recommendations shall be implemented in full according to the timescales laid out, unless otherwise agreed in writing by the Local Planning Authority, and thereafter permanently maintained for the stated purposes of biodiversity conservation.
- The development plans appear to have a limited impact on the biodiversity value of the site and the applicant will install a tawny owl box on site as part of mitigation proposals, this is a welcomed biodiversity enhancement.
- The development shall be carried out in accordance with the following additional biodiversity mitigation and enhancement measures. The measures listed below shall be implemented in full, prior to occupation of the site, and full details including photographic evidence provided to the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority; the features shall thereafter be permanently retained.
 - At least 1 no. integrated bat roosting box, integrated swift box and bee brick to be installed in suitable locations within the new building;
 - All excavations will be covered at night, or a means of escape provided to prevent any small mammals becoming trapped; and
 - Habitats including log/rubble piles will be cleared carefully and by hand to prevent harm to any small mammals that may be using them as refugia.

Ecology did not object to the development and agreed with the findings outlined above, with approval recommended subject to the recommendation being fully complied with according to the timescales laid out. This element will be covered through a planning condition.

Highway Safety

The proposed site utilises an existing access into the site which has a hard surfaced parking area which has sufficient turning area. The proposed store is to replace the existing building with a purpose-built store for the applicant's needs on site, without changing the use of the land for a different purpose. The access into the site is through a secure gate (which has been improved in recent years), which is set back from the road with adequate visibility in both directions onto the highway, which is a 20mph zone to the immediate East, with traffic calming infrastructure. Highways DC have been consulted on the proposal and have not objected to the proposed development. The proposed development is in compliance with Local Plan Policy T4 and is acceptable in terms of highway safety.

Archaeology

South Yorkshire Archaeology Service (SYAS) have been consulted on the proposal and have not raised any objection to the development stating that there are no sites recorded nearby on the South Yorkshire Historic Environment Record (HER) and there is little to indicate significant archaeological activity.

Conclusion

The application is for the erection of a detached agricultural store on a site which has been used for agricultural purposes. The building is to partially replace an existing building on site and will be rectangular in shape measuring 10m x 12m (120sqm footprint), with an amended scheme being received which reduces the footprint size of the outbuilding from 200sqm. The height of the outbuilding has also been reduced and is now proposed as 4m on the rear elevation and 5m on the front elevation with a slightly sloped roof.

The site is on an allocated housing site – HS12, therefore assessment against Local Plan Policy H3 is necessary. The proposed development is not in compliance with this policy as it is for an agricultural store which is ancillary to the housing elements and does not provide a service or other facility for local resident. However, the proposed development does not seek to change the use of the site and is partially to replace

an existing building with a purpose-built store for the applicant's purposes, using the site as a smallholding. The proposed store has been reduced in size and the agent has agreed to a temporary consent for the building which will be covered under a condition. Other conditions will place restrictions on the land/building being used solely for the use of agriculture rather than any other business/commercial purposes.

None of the consultees have objected to the scheme and a preliminary ecological appraisal has been submitted which provides several recommendations which will be covered under a planning condition.

It is appreciated that the Council has a duty to ensure that enough new homes are built in the right areas and allocated sites play in a key role in achieving this, the proposed store is a replacement (albeit larger) building and does not change the use of the land. The temporary period of the permission, alongside its reduced size and strict planning conditions will still allow for housing development on the site to come forward. Approval for a temporary period is therefore recommended, subject to conditions.

Recommendation

Approve for a temporary period