

<b>Application Reference Number:</b>	2025/0264
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<b>Application Type:</b>	<i>Prior Notification – Agricultural.</i>
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<b>Proposal Description:</b>	<i>Erection of agricultural building (Prior Approval).</i>
<b>Location:</b>	<i>Crown Inn Farm, Sheffield Road, Wortley, S35 4JB.</i>

<b>Applicant:</b>	<i>Mr David Smith.</i>
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<b>Third-party representations:</b>	<i>None.</i>	<b>Parish:</b>	<i>Wortley.</i>
		<b>Ward:</b>	<i>Penistone East,</i>

### **Summary:**

The applicant is seeking prior approval for the erection of a steel framed agricultural building with a blue slate Eternit sheet pitched roof and Yorkshire boarding side cladding and concrete panel walls in grey. The agricultural building would measure approximately 41.15 metres (L) x 13.71 metres (W) and would adopt an approximate eaves and ridge height of 5.19 metres and 7.04 metres respectively. The agricultural building would be used in connection with the existing agricultural use for the storage of straw and hay.

This application is being considered within the scope of Class A, Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

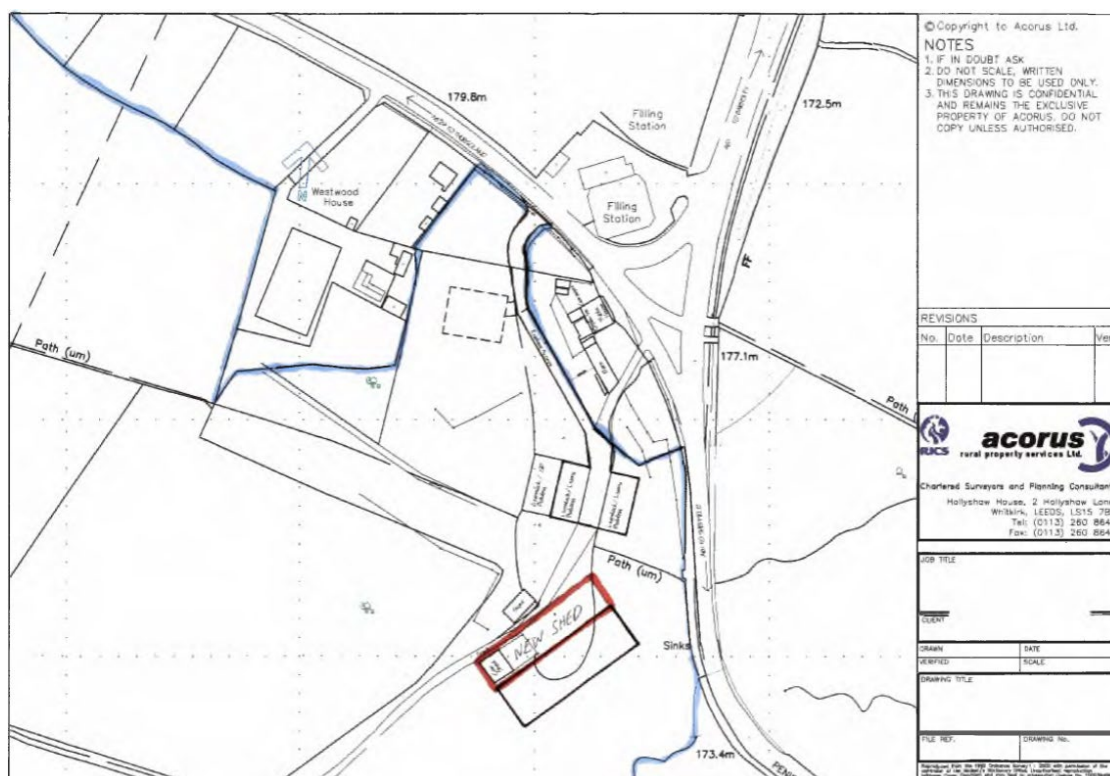
Agricultural development on units of 5 hectares or more is permitted development under Class A, Part 6 of Schedule 2 of the GPDO subject to condition A.2(a)(i), which requires the developer to apply to the Local Planning Authority for a determination as to whether prior approval is required.

The proposed development is considered acceptable in relation to its siting, design and external appearance, and the proposal complies with the relevant legislation and prior approval should be granted subject to conditions.

Recommendation: **Prior Approval – Granted subject to conditions.**

## Site Description

Crown Inn Farm is located on the outskirts of Wortley and on the south side of the junction comprising the A61 Penistone Road with the A61 Westwood New Road and the A629 Sheffield Road. There is a fuel filling station to the north and woods to the south and east. There are some nearby residential properties alongside commercial and agricultural buildings. The development site is accessed to the north off the A629 Sheffield Road. A public footpath extends along the north side of the development site.



## Planning History

Application Reference	Description	Status
B/99/0971/WO	Erection of farm worker's detached dwellinghouse with double garage.	Refused.
B/00/0797/WO	Erection of farm worker's dwelling and construction of access.	Approved.
B/01/0470/WO	Erection of detached farmhouse (Reserved Matters).	Approved.
B/05/1124/WO	Change of use of agricultural buildings and yard to agriculture/livery and formation of outdoor arena.	Approved.
2007/1025	Erection of an attached garage to dwelling.	Approved.

## Proposed Development

The applicant is seeking prior approval for the erection of a steel framed agricultural building with a blue slate Eternit sheet pitched roof and Yorkshire boarding side cladding and concrete panel walls in grey. The agricultural building would measure approximately 41.15 metres (L) x 13.71 metres (W) and would adopt an approximate eaves and ridge height of 5.19 metres and 7.04 metres respectively. The agricultural building would be used in connection with the existing agricultural use for the storage of straw and hay.

## Relevant Policies

### The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

The Local Plan review was approved at a full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering on 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, which is due to take place in 2027, or earlier, if circumstances require it.

The development site is allocated as Green Belt within the adopted Local Plan and therefore, the following Local Plan policies are relevant in this case:

- *Policy GB1: Protection of Green Belt.*

### Town and Country Planning (General Permitted Development) (England) Order 2015

This application is being considered within the scope of Class A, Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO).

Agricultural development on units of 5 hectares or more is permitted development under Class A, Part 6 of Schedule 2 of the GPDO subject to condition A.2(a)(i), which requires the developer to apply to the Local Planning Authority for a determination as to whether prior approval is required.

## Permitted Development

A. *The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of—*

- a) works for the erection, extension or alteration of a building; or*
- b) any excavation or engineering operations,*

*which are reasonably necessary for the purposes of agriculture within that unit.*

## Development not permitted

A.1 *Development is not permitted by Class A if—*

- a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;*

- b) *it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;*
- c) *it would consist of, or include, the erection, extension or alteration of a dwelling;*
- d) *it would involve the provision of a building, structure or works not designed for agricultural purposes;*
- e) *the ground area which would be covered by—*
  - i. *any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations would exceed 1,000 square metres; or*
  - ii. *any building erected or extended or altered by virtue of Class A would exceed 1,500 square metres,*

*calculated as described in paragraph D.1(2)(a) of this Part;*

- f) *the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;*
- g) *the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;*
- h) *any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;*
- i) *it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;*
- j) *it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming;*
- k) *any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—*
  - i. *would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or*
  - ii. *is or would be within 400 metres of the curtilage of a protected building; or*
- l) *the erection or extension of a building would be carried out on land or a building that is, or is within the curtilage of, a scheduled monument.*

## **Conditions**

**A.2 —(1)** *Development is permitted by Class A subject to the following conditions—*

- a) *where development is carried out within 400 metres of the curtilage of a protected building, any building, structure, excavation or works resulting from the development are not used for the accommodation of livestock except in the circumstances described in paragraph D.1(3) of this Part or for the storage of slurry or sewage sludge, for housing a biomass*

*boiler or an anaerobic digestion system, for storage of fuel or waste from that boiler or system, or for housing a hydro-turbine;*

*b) where the development involves—*

- i. the extraction of any mineral from the land (including removal from any disused railway embankment); or*
- ii. the removal of any mineral from a mineral-working deposit,*

*the mineral is not moved off the unit;*

- c) waste materials are not brought on to the land from elsewhere for deposit except for use in works described in Class A(a) or in the provision of a hard surface and any materials so brought are incorporated forthwith into the building or works in question.*

*(2) Subject to sub-paragraph (3), development consisting of—*

- a) the erection, extension or alteration of a building;*
- b) the formation or alteration of a private way;*
- c) the carrying out of excavations or the deposit of waste material (where the relevant area, as defined in paragraph D.1(4) of this Part, exceeds 0.5 hectares); or*
- d) the placing or assembly of a tank in any waters,*

*is permitted by Class A subject to the following conditions—*

- i. the developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building, the siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank, as the case may be;*
- ii. the application must be accompanied by a written description of the proposed development and of the materials to be used and a plan indicating the site together with any fee required to be paid;*
- iii. the development must not begin before the occurrence of one of the following—*
  - aa) the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required;*
  - bb) where the local planning authority give the applicant notice within 28 days following the date of receiving the applicant's application of their determination that such prior approval is required, the giving of such approval; or*
  - cc) the expiry of 28 days following the date on which the application under sub-paragraph (2)(ii) was received by the local planning authority without the local*

*planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;*

*iv. where the local planning authority give the applicant notice that such prior approval is required, the applicant must—*

*aa) display a site notice by site display on or near the land on which the proposed development is to be carried out, leaving the notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant; and*

*bb) where the site notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 21 days referred to in sub-paragraph (iv)(aa) has elapsed, the applicant is treated as having complied with the requirements of that sub-paragraph if the applicant has taken reasonable steps for protection of the notice and, if need be, its replacement;*

*v. the development must, except to the extent that the local planning authority otherwise agree in writing, be carried out—*

*aa) where prior approval is required, in accordance with the details approved;*

*bb) where prior approval is not required, in accordance with the details submitted with the application; and*

*vi. the development must be carried out—*

*aa) where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given;*

*bb) in any other case, within a period of 5 years from the date on which the local planning authority were given the information referred to in paragraph (d)(ii).*

*(3) The conditions in sub-paragraph (2) do not apply to the extension or alteration of a building if the building is not on article 2(4) land except in the case of a significant extension or a significant alteration.*

*(4) Development consisting of the significant extension or the significant alteration of a building may only be carried out once by virtue of Class A(a).*

*(5) Where development consists of works for the erection, significant extension or significant alteration of a building and—*

*a) the use of the building or extension for the purposes of agriculture within the unit permanently ceases within 10 years from the date on which the development was substantially completed; and*

*b) planning permission has not been granted on an application, or has not been deemed to be granted under Part 3 of the Act, for development for purposes other than agriculture, within*

*3 years from the date on which the use of the building or extension for the purposes of agriculture within the unit permanently ceased,*

*then, unless the local planning authority have otherwise agreed in writing, the building or, in the case of development consisting of an extension, the extension, must be removed from the land and the land must, so far as is practicable, be restored to its condition before the development took place, or to such condition as may have been agreed in writing between the local planning authority and the developer.*

*(6) Where an appeal has been made, under the Act, in relation to an application for development described in sub-paragraph (5)(b), within the period described in that paragraph, that period is extended until the appeal is finally determined or withdrawn.*

*(7) Where development is permitted by Class A(a), within 7 days of the date on which the development is substantially completed, the developer must notify the local planning authority in writing of that fact.*

## **Consultations**

Notifying adjacent neighbouring properties is not required for this application.

Wortley Parish Council	<i>No comments received.</i>
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## **Planning Assessment**

The development site is allocated as Green Belt in the adopted Local Plan. The National Planning Policy Framework (NPPF) states that development in the Green Belt is inappropriate unless one of the specified exceptions applies. Paragraph 154(a) of the NPPF lists buildings for agriculture and forestry as an exception. The proposed development is therefore acceptable in principle subject to an assessment of the siting, design and external appearance of the building.

The proposed agricultural building would be erected within an agricultural unit of 40 hectares and on a separate parcel of land forming part of the unit which is 1 hectare or more in area. The building has been designed for agricultural purposes in connection with an existing agricultural holding for the storage of straw and hay. The building would not cover a ground area in excess of 1,500 square metres, would not exceed 12 metres in height and would not be located within 25 metres of a classified road. The building would be viewed amongst existing agricultural buildings of a similar scale and appearance. The development site also benefits from significant woodland screening. The building would also be erected in proximity of other agricultural buildings and in an existing developed area of the agricultural unit. As such, the proposal would not adversely affect the openness and permanence of the Green Belt.

Considering the above, the proposed development is considered acceptable in relation to its siting, design and external appearance, and complies with the requirements of Class A, Part 6 of Schedule 2 of the GPDO, subject to the conditions under paragraph A.2.

## **Planning Balance and Conclusion**

In accordance with the provisions of paragraph 11 of the NPPF(2024), the proposal is considered in the context of the presumption in favour of sustainable development and therefore, for the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant legislation and prior approval should be granted subject to conditions.

**RECOMMENDATION: Prior Approval – Granted subject to conditions.**

**Justification**

**Statement of compliance with Article 35 of the Town and Country Development Management Procedure Order 2015.**

In dealing with the application, the Local Planning Authority (LPA) has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- *Inaccuracies with the application form.*

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering representations, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.