



WORTLEY WAGYU

COTE GREEN FARM

PLANNING STATEMENT

SEPTEMBER 2023

CODA
Bespoke



PLANNING STATEMENT

Proposed Cafe, Farm Shop, and Public Amenities (Use Class E)
Wortley Wagyu, Cote Green Farm, Finkle Street Lane, Wortley,
S35 7DH

Prepared on behalf of Mr. J Tue of Wortley Wagyu

Date: September 2023, Version: 2

1.0. INTRODUCTION

1.1. This Planning Statement (the Statement) has been prepared on behalf of Wortley Wagyu (the Applicant) in support of a planning application for the erection of shipping containers with associated works to create a new cafe, farmshop, and public amenities (Use Class E) (the Proposed Development) at Wortley Wagyu, Cote Green Farm, Finkle Street Lane, Wortley, S35 7DH (the Site).

1.2. This Statement will consider the Site and surrounding context before highlighting the relevant national and local planning policies and assessing the Proposed Development against them and other material matters. The Statement will also include consideration of guidance on retail planning policies with regards to the need for an impact assessment and sequential test.

1.3. This Statement should be read in conjunction with the submitted supporting documents which consist of:

3165-DR-040000 - EXISTING SITE PLAN
3165-DR-040500 - PROPOSED SITE PLAN
3165-DR-040501 - PROPOSED SITE PLAN
3165-DR-040600 - PROPOSED GROUND FLOOR
3165-DR-040601 - PROPOSED FIRST FLOOR
3165-DR-040700 - PROPOSED ELEVATIONS
3165-DR-040701 - PROPOSED ELEVATIONS
3165 - Wortley Wagyu Design Statement C
3165 - Wortley Wagyu Sequential Assessment

2.0. THE SITE

2.1. The Site consists of Cote Green Farm which is a working farm housed in numerous buildings across an 81 hectare site. These include the farmhouse, farm sheds, and car park, alongside other areas of hardstanding. The red line boundary for the Site sits within the wider farm and consists of the proposed containers, access to the highway and Cote Green Car Park.

2.2. Cote Green Farm is located less than 1km from Wortley to the east and approximately 2km northeast of Deepcar which, along with Stocksbridge, represents the largest settlement in the area. The Site is also located close to two junctions of the A616 which links the M1 to the Woodhead Pass. Looking more locally, the Site is immediately adjacent to the Trans Pennine Trail which runs along the western boundary, whilst the adopted highway, Finkle Street Lane, lies to the south. Open fields surround the Site, apart from to the south where there is the hamlet of Plank Gate and Mallard House Livery Yard.

2.3. As well as being a working farm, Cote Green Farm is also home to associated businesses, including Pennine Equine, a livery yard and stables, and Wortley Wagyu, a butcher and farm shop already operating from the Site in temporary premises. Wortley Wagyu also offer mobile catering services for pubs and events, as well as a mobile shop, most frequently present at Fox Valley Shopping Park in Stocksbridge. The farm shop also provides a small cafe offer to customers and nearby users of Cote Green Car Park and the Trans Pennine Trail. The Proposed Development seeks to formalise these uses in a new purpose built cafe and farm shop alongside separate toilet and bike cleaning facilities for those users of Cote Green Park and the Trans Pennine Trail.

3.0. PLANNING POLICY

3.1. National Planning Policy Framework (NPPF) (Published July 2021)

3.1.1. The NPPF is the main national planning policy document and sets out the Government's planning policies for England and how these should be applied. It is a framework for local plan preparation, development and decision making. The following sections and paragraphs are considered relevant to the Proposed Development.

3.1.2. Paragraph 2 of the NPPF states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration when making planning decisions.

3.1.3. Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development, which is summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. For the planning system, achieving sustainable development means three overarching objectives:

- a) An economic objective - to help build a strong, responsive and competitive economy,
- b) A social objective - to support strong, vibrant and healthy communities,
- c) An environmental objective - to protect and enhance our natural, built and historic environment.

3.1.4. Paragraph 10 then goes on to state that, in order to pursue sustainable development in a positive way, a presumption in favour of sustainable development should be at the heart of the NPPF. For decision-taking, paragraph 11 states that this means approving proposals that accord with an up-to-date development plan without delay.

3.1.5. Section 6 relates to 'building a strong, competitive economy' and paragraph 81 states that policies and decisions should help create the conditions in which businesses can invest, expand and adapt, with significant weight being placed on the need to support economic growth and productivity. Paragraph 81 goes on to state that the approach taken should allow each area to build on its strengths.

3.1.6. Regarding the rural economy, paragraph 84 states that policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas and sustainable rural tourism developments which respects the character of the countryside.

3.1.7. Further to this, the NPPF recognises that, in order to meet local business needs in rural areas, sites may have to be found beyond existing settlements and in locations not well-served by public transport. Paragraph 85 states that the use of previously developed land, and sites that are physically well-related to existing settlements should be encouraged where suitable opportunities exist.

3.1.8. Section 7 of the NPPF is titled 'ensuring the vitality of town centres' and states in paragraph 86 that policies and decisions should support the role that town centres play at the heart of local communities. Paragraph 87 states that LPAs should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. However, paragraph 89 clarifies that this sequential approach should not be applied to applications for small scale rural offices or other small scale rural development.

3.1.9. In addition, Section 8 relates to 'promoting healthy and safe communities' and paragraph 100 states that planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.

3.1.10. Section 12 of the NPPF is titled 'Achieving well-designed places' and states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 126 goes on to state that good design is a key aspect of sustainable development, creates better places in which to live and helps make development acceptable to communities.

3.1.11. Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments:

- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

3.1.12. Paragraph 134 of the NPPF is clear that development that is not well designed should be refused, especially where it fails to reflect local design policies. Conversely, significant weight should be given to:

- a) Development which reflects 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; and/or
- b) Outstanding or innovative designs which promote high levels of sustainability, or help to raise the standard of design more generally in an area, so long as they fit in the overall form and layout of their surroundings.

3.1.13. Section 13 of the NPPF relates to protecting Green Belt land, with paragraph 137 stating that the Government attaches great importance to Green Belts, with the fundamental aim of Green Belt policy being to prevent urban sprawl.

3.1.14. Paragraph 138 states that the Green Belt serves five purposes:

- a) To check the unrestricted sprawl of large built-up areas;
- b) To prevent neighbouring towns merging into one another;
- c) To assist in safeguarding the countryside from encroachment;
- d) To preserve the setting and special character of historic towns; and
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

3.1.15. Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 goes on to state that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

3.1.16. In addition to this, paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are listed as:

- a) Buildings for agriculture and forestry;
- b) The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) Limited infilling in villages;
- f) Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use.

3.1.17. Section 15 of the NPPF is titled 'Conserving and enhancing the natural environment, and paragraph 174 states that planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

- c) Maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

3.2. Barnsley Local Plan (BLP) (Adopted 2019)

3.2.1. The BLP provides local planning policy for the future development of Barnsley up to the year 2033 and sets out the key elements of the planning framework for Barnsley, as well as the approach to its long term physical development to achieve the Council's vision. The following policies are considered to be relevant to the Proposed Development.

3.2.2. Policy SD1 'Presumption in Favour of Sustainable Development' states that the Council will take a positive approach that reflects the presumption in favour of sustainable development as per the NPPF when considering development proposals.

3.2.3. Policy GD1 'General Development' states that proposals for development will be approved if:

- There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;
- They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;
- They will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land;
- They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and

the way they are planted, hard surfaces, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape;

- Any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated;
- Adequate access and internal road layouts are provided to allow the complete development of the entire site for residential purposes, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas;
- Any drains, culverts and other surface water bodies that may cross the site are considered;
- Appropriate landscaped boundaries are provided where sites are adjacent to open countryside;
- Any pylons are considered in the layout; and
- Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing.

3.2.4. Policy E5 'Promoting Tourism and Encouraging Cultural Provisions' states that the Council will promote tourism by promoting the existing tourism offer and encouraging growth of the tourism business sector. Tourist related development in rural areas will be protected and encouraged to support and diversify the local economy, subject to the requirements of Policy E6.

3.2.5. Policy E6 'Rural Economy' states that the Council will encourage a viable rural economy by allowing development in rural areas, provided that 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.

3.2.6. Policy E6 goes on to state that development in rural areas will be expected to:

- Be of a scale proportionate to the size and role of the settlement;
- Not have a harmful impact on the countryside, biodiversity, Green Belt, landscape or local character of the area;
- Consider the re-use of existing rural buildings in the first instance; and

- Protect the best quality agricultural land.

3.2.7. Policy T3 'New Development and Sustainable Travel' states that new development will:

- Be expected to be located and designed to reduce the need for travel;
- Provide at least the minimum levels of parking for cycles, motorbikes, scooters, mopeds, and disabled people; and
- Provide a transport statement of travel plan in accordance with guidance set out in the NPPF.

3.2.8. Policy T4 'New Development and Transport Safety' states that 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.

3.2.9. Policy D1 'High Quality Design and Place Making' sets out the design principles for new development and states that development will be expected to be of high quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley, which includes:

- Landscape character, topography, green infrastructure assets, important habitats, woodlands and other natural features;
- Views and vistas to key buildings, landmarks, skylines and gateways; and
- Heritage and townscape character including the scale, layout, building styles and materials of the built form in the locality.

3.2.10. Policy D1 goes on to state that development should also:

- Contribute to place making and be of high quality, that contributes to a healthy, safe and sustainable environment;
- Complement and enhance the character and setting of distinctive places, including Barnsley Town Centre, Penistone, rural villages and Conservation Areas;
- Help to transform the character of physical environments that have become run down and are lacking in distinctiveness;

- Provide an accessible and inclusive environment for the users of individual buildings and surround spaces;
- Provide clear and obvious connections to the surrounding street and pedestrian network;
- Ensure ease of movement and legibility for all users, ensure overlooking of streets, spaces and pedestrian routes through the arrangement and orientation of buildings and the location of entrances;
- Promote safe, secure environments and access routes with priority for pedestrians and cyclists;
- Create clear distinctions between public and private spaces;
- Display architectural quality and express proposed uses through its composition, scale, form, proportions and arrangement of materials, colours and details;
- Make the best use of high quality materials;
- Include a comprehensive and high quality scheme for hard and soft landscaping; and
- Provide high quality public realm.

3.2.11. Policy HE1 'The Historic Environment' states that developments which will help in the management, conservation, understanding and enjoyment of Barnsley's historic environment will be positively encouraged. This will be achieved by supporting proposals which conserve and enhance the significance and setting of the borough's heritage assets.

3.2.12. Policy HE2 'Heritage Statements and General Application Procedures' states that proposals that are likely to affect known heritage assets will be expected to include a description of the heritage significance of the site and its setting. This description will need to include an appropriate but proportionate level of detail that allows an understanding of the significance of the asset but no more than is necessary to understand the impact of the proposal.

3.2.13. Policy TC1 'Town Centres' sets out the hierarchy of centres within Barnsley and states that a sequential approach will be used to assess proposals for new retail and town centre development to aid in achieving the spatial strategy for the borough. Edge of centre and out of centre development will only be allowed where it meets the requirements of the NPPF. It also states that impact assessments will only be required as laid out in policy TC3.

3.2.14. Policy TC3 'Thresholds for Impact Assessments' states that proposals for retail and leisure uses will be required to provide an impact assessment if they are of a scale, role or function where they could have a negative impact on the vitality and viability of the centre. For sites outside of and within the catchment of a Local Centre, the threshold for an impact assessment is 500 sqm gross.

3.2.15. Policy GS2 'Green Ways and Public Rights of Way' states that the Council will protect green ways and public rights of way from development. Where new development is close to a green way or public right of way, the policy states that it may be required to provide a link to the existing route, improve an existing route, or contribute to a new route.

3.2.16. Policy BIO1 'Biodiversity and Geodiversity' states that development will be expected to conserve and enhance the biodiversity and geological features of the borough. Development which may harm a biodiversity or geological feature or habitat will not be permitted.

3.2.17. Policy GB1 'Protection of Green Belt' states that Green Belt will be protected from inappropriate development in accordance with national planning policy.

3.2.18. Policy GB2 'Replacement, extension and alteration of existing buildings in the Green Belt' states that the extension or alteration of a building where the total size of the proposed and previous extensions does not exceed the size of the original building will be permitted in the Green Belt provided it will not have a harmful impact on the appearance or character and will preserve the openness of the Green Belt. All development in these instances 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, and have no adverse effect on the amenity of local residents, the visual amenity of the area, or highway safety.

3.2.19. Policy Poll1 'Pollution Control and Protection' states that development will be expected to demonstrate that it is not likely to result 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 people.

4.0. PRE-APPLICATION ENQUIRY

4.1. Prior to this full planning application, a pre-application enquiry for the proposals was submitted to the Council in 2022 and dealt with under reference 2022/ENQ/00098 by Helen Willows.

4.2. The feedback stated that Green Belt policy would be key for any future submission and that evidence that the development falls within one of the exceptions to the presumption against new buildings will be needed. Alternatively, if no exception exists, then it will be necessary to demonstrate that very special circumstances exist and that these clearly outweigh the potential harm to the Green Belt.

4.3. Regarding retail matters, it was stated that the proposed use is a town centre use and that the Site is not a sequentially preferable location. Therefore robust justification would be needed to demonstrate that there either no sequentially preferable locations, the proposals constitute small-scale rural development and therefore are exempt from the sequential test, or that there are particular market or locational requirements which mean that the development may only be accommodated in a specific location.

4.4. Regarding access, it was stated that the difference in vehicular movements for the existing uses on site and those proposed would need to be understood to ensure no conflict with the users of the car park and Trans Pennine Trail. It was also stated that the car park would need to remain open during construction and the final development would need to provide a range of parking, including cycle, horses, and disabled spaces.

4.5. Finally, it was stated that the Council's Conservation and Design Officer had no issues with the proposals and could see no impact on any nearby heritage assets, and, separately, that the Pollution Control Officer could see no adverse impact on health from the proposals.

4.6. In addition to the Council's response, the Trans Pennine Trail provided a response through their role as a consultee. It was stated that it was important that the car park and access to it remained open through construction and operation of the Proposed Development, however the facilities could provide an enhanced offer for users.

5.0. 5. ASSESSING THE PROPOSED DEVELOPMENT AGAINST PLANNING POLICY

5.1. Principle of Development & Green Belt

5.1.1. As already discussed, the Site lies within the South Yorkshire Green Belt and therefore Policy GB1 of the BLP is relevant and states that the planning applications in the Green Belt will be determined in accordance with national planning policy. As such, Section 13 of the NPPF applies with inappropriate development, by definition, being harmful to the Green Belt and not approved except in very special circumstances. Paragraph 147 of the NPPF states that local planning authorities should regard the construction of new buildings as inappropriate except in seven instances. Part g), the last of these exceptions, is:

g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use.

5.1.2. Note that, in part g), 'limited infilling' is allowed or 'the partial or complete redevelopment of previously developed land, whether redundant or in continuing use'; both do not need to apply.

5.1.3. As established within the NPPF and other guidance, agricultural uses are not classed as previously developed land and therefore do not benefit from paragraph 147g). However, the Proposed Development lies on the site of a previous building that has been used in conjunction with the Pennine Equine retail business that was approved in 2003 under reference B/00/1024/WO and therefore can be classed as previously developed land.

5.1.4. Whilst it is acknowledged that the building on the Site is no longer able to be occupied, due to it having a roof and sides removed, it is argued that it still constitutes previously developed land as it is redundant. The Proposed Development is therefore not inappropriate development in the Green Belt as an exception under paragraph 147g) of the NPPF.

5.1.5. Notwithstanding this, it is clear that the Site is surrounded on three sides by built form as part of the wider farm buildings. These buildings prevent any views through the Site and result in it being built up in character. It is therefore argued that paragraph 147g) of the NPPF is engaged by virtue of the fact that the Proposed Development

is 'limited infill', despite being outside of any defined settlement boundaries.

5.1.6. This position is supported by numerous planning appeal decisions which draw on the Court of Appeal judgement in *Wood v SSCLG and Gravesham Borough Council* [2015] in which it was determined that a village boundary would be a relevant consideration but not a determining factor. Therefore, as the Site is surrounded by buildings on three sides, infill of this space, provided that it is not entirely filled in, is acceptable. By default, the Proposed Development is then also compliant with Policy GB1 of the BLP.

5.1.7. As limited infilling is an exception to inappropriate development in the Green Belt, the questions surrounding openness and the purposes of including land within the Green Belt are not required.

5.1.8. However, should the Council consider that none of the exceptions apply under paragraph 147 of the NPPF, then it is also considered that very special circumstances do also exist in this instance and that, on balance of weight, the Proposed Development should be allowed.

5.1.9. The primary reason why this is the case, is due to the existing nature of the Site which features redundant buildings alongside the already established Pennine Equine use and both the farm shop and cafe which operate from containers on the Site. These uses, specifically the latter two which are proposed to be expanded and grown, represent a successful business within a rural location and therefore paragraph 84 of the NPPF applies.

5.1.10. This states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas, and the NPPF recognises that this may mean building in locations outside of existing settlement boundaries.

5.1.11. At a local level, the Proposed Development is supported by Policy E6 which states that the Council will encourage a viable rural economy where it supports diversification, results in the growth of existing businesses, and is related to tourism and recreation. The latter is applicable due to the location adjacent the Trans Pennine Trail and the provision of toilet and bike cleaning facilities not in conjunction with the cafe or farm shop, i.e., you do not need to be a customer of either to use them

5.1.12. The Proposed Development is therefore clearly supported by both local and national policies and this Barnsley success story should be encouraged, provided the impact on the Green Belt does not outweigh these positives.

5.1.13. With this in mind, the impact on the Green Belt can be measured by considering the contribution the Site makes to the five purposes on including land within it; these are listed in paragraph 138 of the NPPF and are:

- a) To check the unrestricted sprawl of large built-up areas;
- b) To prevent neighbouring towns merging into one another;
- c) To assist in safeguarding the countryside from encroachment;
- d) To preserve the setting and special character of historic towns; and
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.1.14. With regards to part a), it is clear from the context of the Site, which is hardstanding and located within the courtyard of the existing buildings, that there will be no increase in 'urban sprawl'; the built form of the farm will remain entirely within its own external footprint. In addition, there are no large built-up areas within the vicinity that the Proposed Development could contribute to.

5.1.15. With regards to part b), it is again obvious, by virtue of the fact that there are no nearby towns, that the Site does not serve this purpose as Green Belt land.

5.1.16. With regards to part c), all development within the Green Belt is contrary to this, however, as the Site is hardstanding, it is not green in character and does not form part of the open countryside. In addition, the design of the Proposed Development will remain agricultural in nature due to the corrugated appearance of the containers which are similar to the existing farm buildings and others in the surroundings that use corrugated metal.

5.1.17. Regarding part d), as already discussed, there are no towns near to the Site and, further to this, there are no buildings which are considered as heritage assets that would be impacted by the proposals; something confirmed at the pre-application stage by the heritage officer.

5.1.18. Finally, with regards to part e), whilst it is acknowledged that the proposed use is a town centre use as defined by national planning guidance, the fact that

the Proposed Development is for a farmshop and cafe associated with the wider farm means that there are locational factors which prevent a similar use occurring within the built up centres. This matter is discussed further in the following section.

5.1.19. As can be seen above, the development of the Site would not impact on the five purposes of including land within the Green Belt and would have a minor limited impact on its openness by virtue of the fact that the Site is surrounded on three sides by development. As such, there is only a minor impact on the Green Belt which is considered to be outweighed by the significant weight attributed to the fact that the Proposed Development is for a growing established business and provides facilities to the general public using the Trans Pennine Trail for recreation, the health benefits of which should not be underestimated.

5.1.20. As a result of the above, the Proposed Development is considered compliant with Green Belt policy and this should not form a reason for refusal.

5.2. Principle of Development & Retail Matters

5.2.1. In addition to the Green Belt, the Proposed Development is a town centre use and therefore, as per paragraph 86 of the NPPF, a sequential approach should be taken to ensure development is directed towards town centres where possible and appropriate. However, paragraph 89 clarifies that a sequential test should not be applied to applications for small scale rural developments.

5.2.2. No definition is given as to what constitutes 'small scale' and therefore this is up to interpretation, however it is clear that at 252 sqm the Proposed Development is not considered a major development. In addition, the Proposed Development is half the threshold required for an Impact Assessment under Policy TC3 of the BLP. In order to put 252 sqm into context it is approximately 1/28th of a standard football pitch and less than that within the white lines of a tennis court (i.e., not including run-off areas) which is approximately 260 sqm in size. It is therefore considered that, in retail terms, this is a small area considering the need for storage, sales space, tables and chairs, toilets and circulation. Note that the 252 sqm proposed also includes the toilets and bike wash separate to the cafe and shop.

5.2.3. However, a Sequential Assessment has been carried out and submitted under separate cover. The assessment demonstrates that there are no other sequentially preferable sites that are suitable, available and viable.

5.2.4. Notwithstanding the above, it is argued that there are locational requirements which would also preclude development within a local or district centre. These will now be discussed.

5.2.5. Firstly, the national guidance relating to sequential tests provides a checklist of considerations when determining whether a proposal complies with the sequential approach. These relate to the suitability of central sites and the scope for flexibility in the format or scale of the proposals. Key to any farm shop, including the Proposed Development, is that of ease of operation to the host farm which contributes to the produce and staff operating the facility.

5.2.6. There is therefore a strict requirement for the shop element to be located close to the farm, however, as the Site is not located close to any centres (the nearest being Stocksbridge 2 miles away and then Hoyland Common 3.5 miles away, the former of which is already frequented by a Wortley Wagyu mobile shop), then any sequential test would fail this element.

5.2.7. In addition, the cafe element of the Proposed Development is intended to appeal directly to the users of the Trans Pennine Trail as the existing facility on site does. This therefore limits locations within walking distance of the Trans Pennine Trail and to those which are within centres or on the edge of them. No such sites exist within the catchment area of the search, with the nearest being that of Penistone 4 miles to the north.

5.2.8. It is therefore considered that, due to the small scale nature of the Proposed Development, and by virtue of the locational requirements associated with the farm and the Trans Pennine Trail, as well as the submitted Sequential Assessment, the principle of a town centre use in this location is acceptable. The Proposed Development is therefore compliant with Policy TC1 of the BLP and Section 7 of the NPPF.

5.2.9. In order to ensure that the Proposed Development does not harm nearby centres and to ensure that the proposed E Use Class stays as a farm shop, it is considered that a condition could be applied to any approval to this effect. It is considered that such a condition would pass the necessary tests and could be in place in perpetuity.

5.3. Provision of Public Amenities

5.3.1. As part of the Proposed Development, a separate toilet area and bike cleaning facilities are proposed solely for the users of the Trans Pennine Trail. As the Council will know, Cote Green Farm is adjacent to a car park which is leased for public use to enable better access to the Trans Pennine Trail. At present, there are limited facilities on the Site with only a small toilet and cafe and it is therefore proposed to improve these through purpose built facilities.

5.3.2. In addition to this, an area to clean bikes is proposed for cyclist who drive to the car park and cycle the Trans Pennine Trail. This facility would be particularly important in the winter months when the trails are muddy.

5.3.3. Paragraph 100 of the NPPF clearly states that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users. The Proposed Development is therefore compliant with this and it should be given appropriate weight in any decision.

6.0. SUMMARY & CONCLUSIONS

6.1. This Statement has been prepared to support a planning application for the erection of a cafe and farm shop (Use Class E) and public amenities at Cote Green Farm, Wortley. The Statement has assessed the Proposed Development against the relevant local and national planning policies, including those within the NPPF and BLP.

6.2. It has been demonstrated that the Proposed Development is not inappropriate development in the Green Belt by virtue of the exception under paragraph 149g) and that it will not impact on the purposes of including land within the Green Belt by virtue of the fact that the Site is surrounded on three sides by built form.

6.3. In addition, the Proposed Development does not need to be subjected to the sequential approach to retail uses due to the fact that it is of a small scale, in a rural location, and, as a farm shop, has specific locational requirements that cannot be found in any nearby centre.

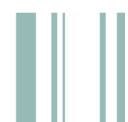
6.4. Further positive weight in any planning decision is then present due to the public amenities proposed which includes toilet and bike washing facilities to the benefit of the users of the car park and Trans Pennine Trail.

6.5. As a result of the above, the Proposed Development is compliant with all local and national planning policies and therefore, in accordance with the presumption in favour of sustainable development, should be approved without delay.

**This document has been produced
by CODA Bespoke on behalf of
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