

A photograph of a large, modern wooden barn with a steep gabled roof. The barn is constructed from vertical wooden planks. A sign on the upper left side of the barn reads 'FARMPLUS LONGRIDGE (01772) 785252'. The barn has a large open doorway on the right side, revealing the interior structure. A metal gate is partially open in the foreground. The ground in front of the barn is covered with grass and some dry vegetation.

PLANNING STATEMENT

THE BARN

**Haigh Lane
Hoylandswaine
S36 7LP**

October 2020

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1.00 Introduction

This Planning Statement is submitted on behalf of Mr Andrew Pesterfield (the 'Applicant') as a formal part and in support of this Prior Approval application submitted under the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 3, Class Q (a) and (b) and Paragraph W Procedures for the change of use of an agricultural building to one dwelling (Class C3) at The Barn, off Haigh Lane, Hoylandswaine, S36 7LP ('the Site').

The proposed scheme comprises the change of use and reasonably necessary works to convert an existing agricultural building used for livestock and animal feed storage to a four bedroom dwelling with off-street parking, associated garden and access via an existing track.

2.00 Background

The application site relates to The Barn off Haigh Lane, Hoylandswaine, Barnsley. The site is comprised predominantly of an existing detached, timber framed agricultural building located approximately 90m to the East of Haigh Lane and 200m from Hoylandswaine settlement.

The Barn is a timber framed agricultural building with walls of part horizontal and part vertical cladding up to the eaves of the roof, which itself is comprised of profiled metal sheeting. The building measures some 14.1m x 6.4m (90.24m² in footprint) and measures 5m to ridge height, and 4m to the eaves.

Access to the site is taken via a track from the adopted highway off Haigh Lane. This track leads to the field access from which the building can be access.



Photograph taken in September 2020

3.00 Appraisal Against Class Q - Relevant Considerations

3.01 The application seeks clarification as to whether prior approval would be required for the conversion of the applicants agricultural barn to form a single residential unit under Class Q of the General Permitted Development Order 2015 (as amended). This section of the statement will assess the development proposals against each of the conditions of Class Q.

3.02 Class Q of the GPDO 2015 permits development consisting of:

(a) a change of use of any building and its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule of Use Classes Order;

(b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of the Schedule.

3.03 Development is not permitted where it would fail to adhere to any of the provisions of Q.1, which are as follows:

(a) the site was not used solely for an agricultural use as part of an established agricultural unit;

(i) on 20th March 2013, or

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

(iii) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins;

3.04 The building has been used for agricultural purpose since being built in 2000 and was erected following planning approval with reference number B/00/0801/PU. The 10 acres site acts as a satellite to the 75 acre agricultural holding in Rydale. The building has been used for livestock and storing hay. The BMBC animal health officer can also confirm that cattle were housed in the building. The following photos show the building in use in previous years.



Photograph taken in May 2008



Photograph taken in May 2010



Photograph taken in May 2010



Photograph taken in October 2019

- b) in the case of;
- (i) a larger dwellinghouse, within an established agricultural unit;
 - (aa) the cumulative number of separate larger dwellinghouses developed under Class Q exceeds 3; or
 - (bb) the cumulative floor space of the existing building or buildings changing use to larger dwellinghouse or dwellinghouses under Class Q exceeds 465 square metres;
- 3.05 The prior approval of the authority is sought for the conversion of the agricultural building to form one dwelling. The footprint of the building does not exceed 465 square metres.
- (c) in the case of;
- (i) a smaller dwellinghouse, within an established agricultural unit;
 - (aa) the cumulative number of separate smaller dwellinghouses developed under Class Q exceeds 5; or
 - (bb) the floor space of any one separate smaller dwellinghouse having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeds 100 square metres;
- 3.06 This provision is not applicable, as no smaller dwellinghouses are proposed.
- The development under Class Q (together with any previous development under Class Q) within an established agricultural unit would result in either or both of the following:*
- (i) a larger dwellinghouse or larger dwellinghouses having more than 465 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;
 - (ii) the cumulative number of separate dwellinghouses having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order exceeding 5;
- 3.07 The current proposals fall below both thresholds listed within the above paragraph.
- (e) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;*
- 3.08 The site is not currently occupied under an agricultural tenancy.
- (f) less than 1 year before the date development begins—*
- (i) an agricultural tenancy over the site has been terminated, and
 - (ii) the termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;
- 3.09 No agricultural tenancy has been terminated in the previous year to facilitate a conversion of the building under Class Q.
- g) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit—*
- (i) since 20th March 2013; or
 - (ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;

- 3.10 No development under Class A(a) or Class B(b) of Part 6 of the Schedule has been carried out across the agricultural unit.

h) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;

- 3.11 The submitted plans demonstrate that no alterations are proposed that would result in an increase in the current dimensions of the buildings. The proposed residential unit will be accommodated entirely within the existing dimensions of the building. Internal works are not generally development. For the building to function as dwelling it may be appropriate to undertake internal structural works, including to allow for a floor, the insertion of a mezzanine or upper floors within the overall residential floor space permitted, or internal walls, which are not prohibited by class Q

*i) the development under Class Q(b) would consist of building operations other than—
(i) the installation or replacement of—
(aa) windows, doors, roofs, or exterior walls, or
(bb) water, drainage, electricity, gas or other services, to the extent reasonably necessary for the building to function as a dwellinghouse;
and
(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);*

- 3.12 The extent of external alterations sought is limited to the insertion of windows and doors to enable the building to function as a dwellinghouse. Such clearly falls within the extent of building operations that can be carried out under paragraph i.

*(j) the site is on article 2(3) land;
(k) the site is, or forms part of—
(i) a site of special scientific interest;
(ii) a safety hazard area;
(iii) a military explosives storage area;
(l) the site is, or contains, a scheduled monument; or
(m) the building is a listed building.*

- 3.13 The conversion of the existing barn would not contravene any of the above further provisions of Class Q.

- 3.14 The proposed change of use can therefore be achieved under the provisions of Class Q, subject to compliance with the necessary conditions listed in Q.2.

Condition

Q.2 (1) states that: where the development proposed is development under Class Q(a) together with development under Class Q(b), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to;

*(a) transport and highways impacts of the development,
(b) noise impacts of the development,
(c) contamination risks on the site,*

- (d) flooding risks on the site,*
- (e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 dwellinghouses) of the Schedule to the Use Classes Order, and*
- (f) the design or external appearance of the building,*

Transport and Highways Impact of Development

- 3.15 Under the current proposals, it is sought to retain the existing access in its current location. Evidently, the conversion of the building would facilitate a cessation of the lawful agricultural use. As such, the volume of traffic generated by the development must be considered in this context (i.e. the volume of traffic agricultural activities would give rise to). Having due regard to such, it is clear that the proposals would result in a neutral impact, and the development would not give rise to additional vehicle movements that would jeopardise the safety of highway users. In addition to this, an appropriate provision of car parking is proposed within the curtilage of the building, and the development is considered to be acceptable in this respect. The applicant would be willing to accept a condition requiring submission of details of storage / access for waste collections.
- 3.16 The location of the building relative to the wider highway network is wholly appropriate with the local authority not being able to stymie re-use on the basis of sustainability; there is access to services in the wider locality.

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Noise Impacts of the Development

- 3.17 As outlined above, the proposed development will facilitate the cessation of all agricultural activities that have previously taken place on this immediate site. The adjacent agricultural field is used for grazing/silage production purposes and indeed any future use of the land would be similar in nature in this capacity – there would be no livestock activities or such that could give rise to a noise nuisance. On this basis the residential amenity of future occupiers can be assured with respect to noise disturbance. There are no other adjacent land uses which would give rise to a disturbance to underlying amenity.

Contamination Risks on the Site

- 3.18 No industrial processes involving heavy plant, machinery or chemical products have been used as part of the organic livestock rearing. The site sits within a rural location surrounded by open countryside where there is no evidence that non-conforming, industrial or hazardous waste/substance developments have taken place on the site or in the immediate surrounding area. The applicant would be willing to accept a condition requiring submission of a phase 1 report if required.

Flooding Risks on the Site

- 3.19 The application site is located in Flood Zone 1 and is not at any undue risk from flooding from rivers or surface water.

Location / Siting

- 3.20 Part (e) considers whether the location of the subject building would make it “impractical or undesirable” for the conversion of the building to residential use. Where the site may occupy an unduly remote location, with no existing access to the

highway, services or context into which residential activity could be accommodated without landscape harm, such may be a limiting factor. However, the accessibility to services and general sustainability of a location in this regard is not within the scope of such an assessment. The Barn is within 200m of Hoylandswaine and is considered, not to be unduly remote.

- 3.21 The Barn, the subject of this application is located within a field where agricultural activities were once undertaken but have since ceased. The building is in no way isolated falling within close proximity to various dwellings which comprise the Northern part of Hoylandswaine. The location is in proximity to the access drive and highway as opposed to a freestanding location in the heart of an open field - the setting can accommodate the changes proposed with the green belt designation not imposing a moratorium in this regard. The site already is associated with built development and activity which themselves impact upon openness and provide a context. The building can be adequately serviced and would not place an additional or new burden upon such as a consequence.
- 3.22 The existing access track is considered adequate to serve the limited quantum of development as described above. There will be no issue with amenity as outlined previously and there is no reason to suggest that the siting / location of the buildings would make it impractical or undesirable for development.

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Design and External Appearance

- 3.23 The local authority may wish to have regard to the external appearance of the building and in this case the scheme consists of the creation of new openings in an appropriate manner to enable habitable use of the building on a day to day basis. Officers will note that the building is not of a traditional appearance while, in any event, the extent of external alterations currently proposed are limited, which will thus ensure that the building does not appear overly or unduly domestic. The permitted development rights accept the principle of residential re-use and for any kind of agricultural building with such rights not being rescinded in the green belt – therefore there is an expectation of change in the appearance of buildings which even planning policy does not preclude relating to conversion schemes in the green belt when formal planning permission is required. The conversion proposed does not involve significant external alteration to facilitate occupation of the building, and on this basis, the design and external appearance of the proposed scheme of conversion is considered to be appropriate.

Curtilage

- 3.24 Although not referenced within the main body of Class Q, paragraph X of Part 3 clarifies curtilage as follows:

“curtilage” means, for the purposes of Class Q, R or S only;

- (a) the piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building, or*
- (b) an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building, whichever is the lesser;*

3.25 Officers will note that the submitted site layout plan indicates that the proposed curtilage area is 90m². The proposed curtilage, therefore, falls comfortably below that permitted by the footprint of the building, which itself is 89m².

4.00 Conclusion

4.01 It is considered that the building benefits from permitted development rights under Class Q accepting the conversion to residential use in principle.

4.02 As for the details, development is not likely to give rise to impacts in terms of highway safety, drainage and flooding, noise impact or contamination, while the site and existing buildings are considered to offer a suitable and appropriate location for conversion. The scheme does not exceed the parameters established under the GPDO either.

4.03 It is therefore considered that, in accordance with the provisions of Class Q of the Town and Country (General Permitted Development) Order (as revised) 2018, the prior approval of the Local Planning Authority is not required and the works constitute permitted development. We would therefore respectfully request that the local planning authority confirm that prior approval is not required.

