2021/0453

Mr Luke Maw

Change of use of agricultural Barn to Class B1 use (now Class E)

Westfield House Farm, Brock Holes Lane, Penistone, Sheffield, S36 9FB

Planning History

2019/0614 - Formation of horse riding arena – Approved with conditions
2016/0420 - Roofing over of agricultural store for use for cattle feed and hay (Prior Notification) – Prior Approval not required
2016/0419 - Erection of a new additional bay to existing barn for beef rearing.- Approved with conditions
2015/0529 - Conversion of stable block into 1 no. dwellinghouse (Resubmission of 2014/0521) – Approved with conditions
2014/0521 - Conversion of existing stables to dwelling – Approved with conditions
2013/0480 - Erection of 1 no. 50Kw wind turbine on a 25m monopole mast – Approved with conditions
2010/0515 - Change of use of part of barn from agriculture to farm product sales unit – Approved with conditions
2009/0452 - Construction of a new access – Approved with conditions
2008/1205 - Construction of a new access (resubmission – Refused and appeal dismissed
2007/1490 - Formation of new access road – Refused
00/1219 - Formation of Riding Arena – Approved

Description

Westfield House Farm is a well established farm which has been operating from the site on Brockholes Lane for over 50 years and with over 40ha of land. The main farm yard has a number of agricultural buildings. The barn which is the subject of this application is located to the south of the site and was constructed following the planning approval in 2016 under application ref 2016/0419. The farm yard is accessed via a separate access off Brock Holes Lane.









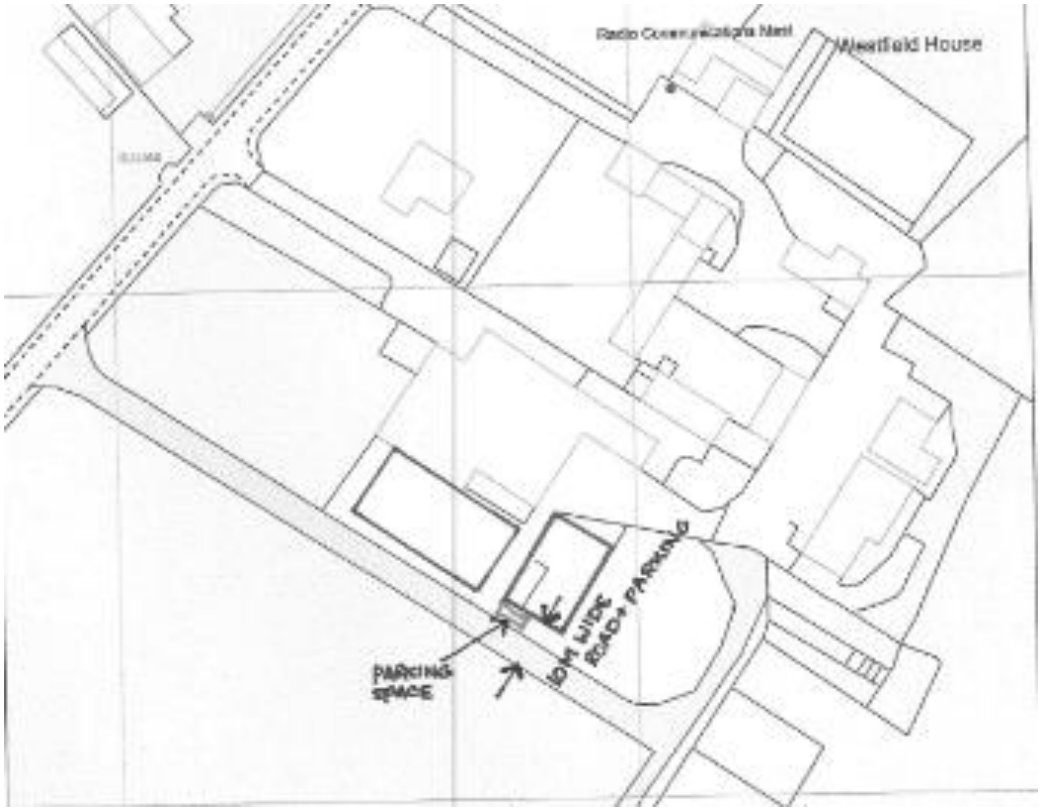
Proposed Development

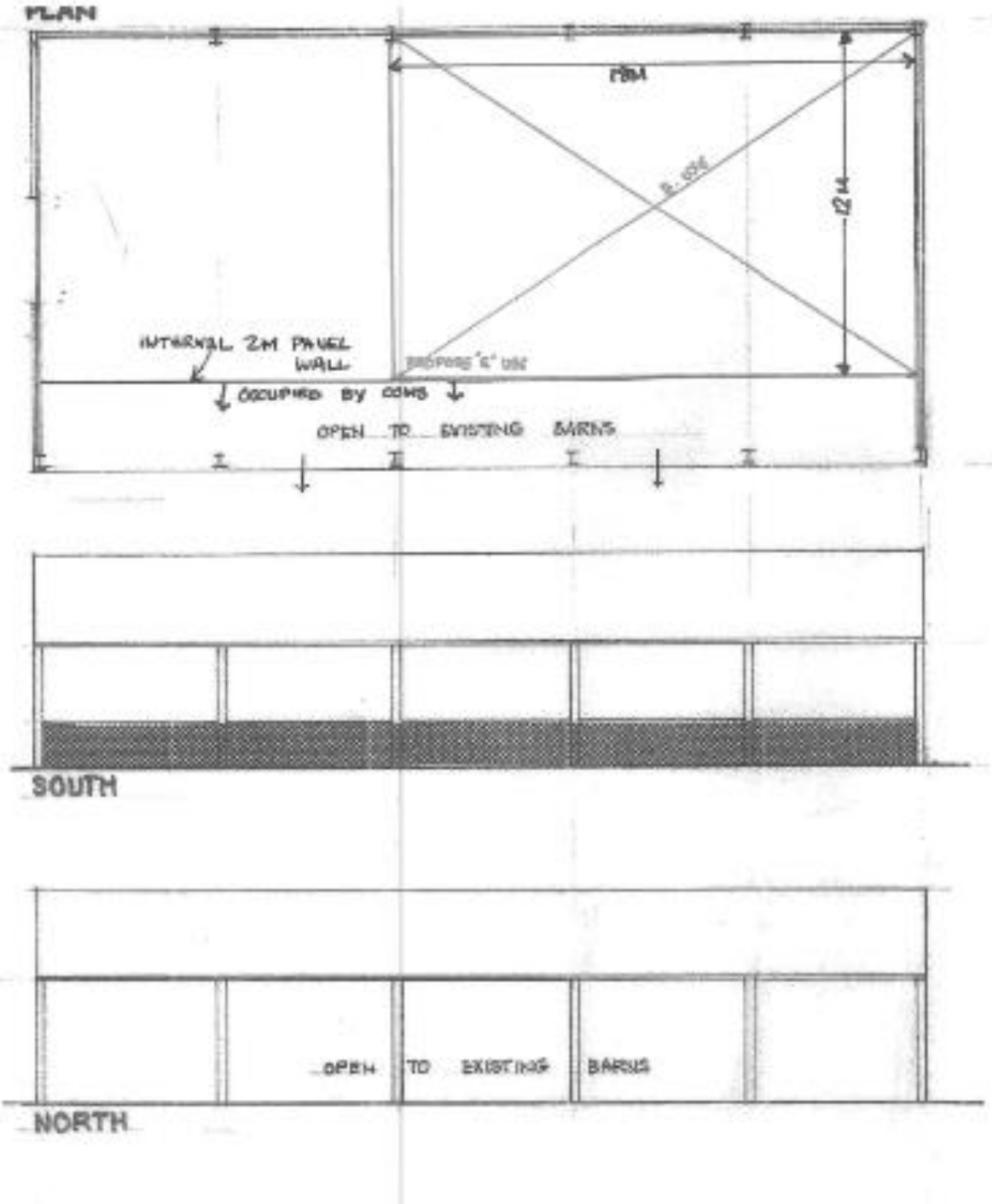
The application seeks approval to change the use of part of the barn (3 bays in total and 216sqm) into a former B1 use which is now a Class E use. The application documents state that the unit would be occupied by Paul Lemons of AGF Ltd who operates a business that builds batteries for electric gates, locks and keypads and light fabrication of railings and gates. Mr Lemons has worked at the farm providing assistance and maintenance to agricultural equipment and works in the local area. Mr Lemons currently works out of his van and from his home in Mapplewell, S75 Barnsley.

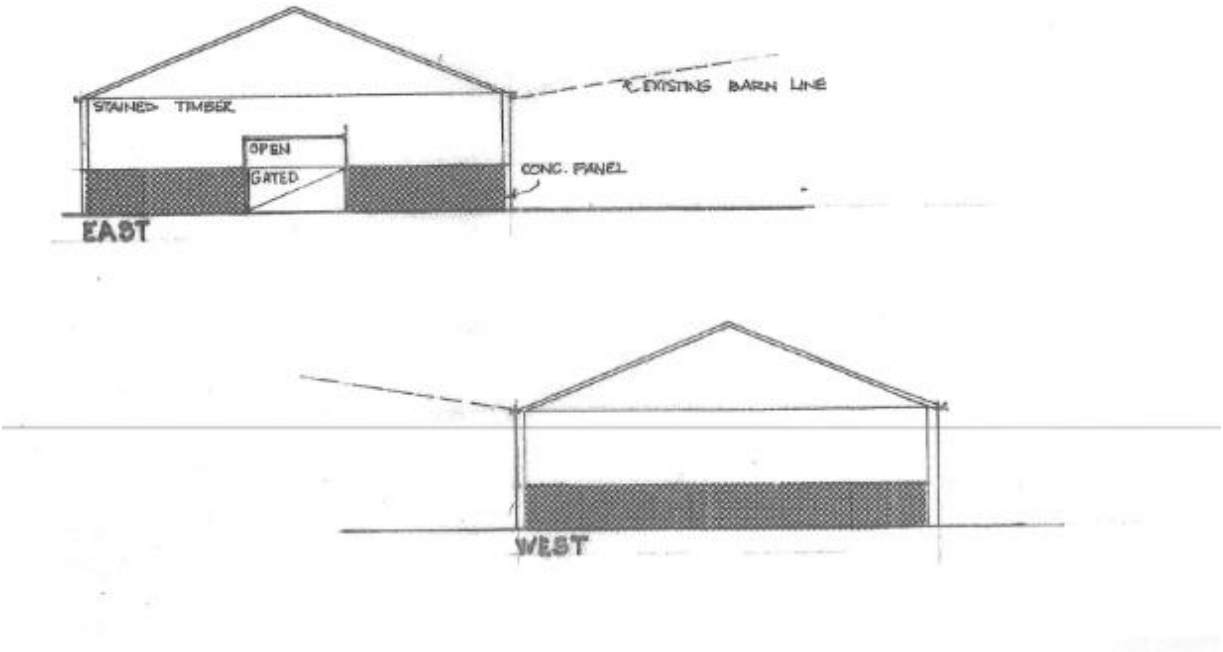
The proposed operations would be considered an industrial process that could be carried out within a residential area without causing detriment to the area and would fall under a Class E use (previously Class B1). The applicant however has confirmed that they would not want the permission to be a personal use to allow for some flexibility in occupiers. Given the wide scope of uses allowed for within the Class E use, the agent has indicated that they would be agreeable to a condition which limits the use of the building to a former B1 use (light industrial, office, research and development).

The working hours are from 8.30am to 6pm with 1 full time employee and possibly 2 part time employees. 1 parking space is provided as shown on the plan below. The supporting information states that there are no suitable units in the Penistone or Spingvale area.

The plans have been amended during the course of the application due to additional information being required which includes an amended application form to include the floorspace areas to be changed 216sqm in total), a plan showing the proposed parking area, amended blue line (the original plan included land not owned by the applicant) and further plans showing how the building would be divided internally with the space for livestock, agricultural storage and the proposed use. The end user has also been amended; however the proposal would still fall within the same use class.




PLAN
18M
12M
INTERNAL 2M PANEL WALL
OCCUPIED BY COWS
OPEN TO EXISTING BARNS
SOUTH
OPEN TO EXISTING BARNS
NORTH



Consultations

Penistone Town Council – No objections/observations
Ward Councillors – No comments
Biodiversity Officer – No objections it is clear from the images provided that the existing building will not provide suitable habitat for roosting bats. There is potential for barn owls to be either nesting or roosting in this building however it is my opinion that the risk is quite small. I am not requiring an ecology report and offer no objection.
Highways – No objection subject to condition
Drainage – Details to be checked by Building Control
Pollution Control – No objections
Yorkshire Water – No comments

Representations

3 comments have been received to the first consultation:-

1 letter has been received which in summary states:-

- The application is not clear and further information should be required in terms of the end use and impact of proposal
- The application form is incorrect and lacks detail with regard to floorspace to be change
- The red line is drawn around the building and the access only.
- Where will parking be and where will vehicles turn
- A noise report and air quality assessment should be submitted to assess the impact upon adjacent properties and Green Belt setting
- Concerns regarding the viability of the farm if the building is no longer required for agriculture and the implications for other farm buildings
- Concerns of future expansion of the business

- Brockholes Lane is a narrow rural lane and not suitable for large vehicles and it is understood that Chapel Lane is at some point set to have a weight restriction, how will this impact the proposal
- Concerns regarding lack of information in terms of working hours. The application form is unclear
- What facilities will be available for staff working at the site
- A sequential test should be carried out to identify other suitable sites on industrial sites

2 further comments have been received:-

- Concerns regarding accuracy of the blue line plan

- Comments with regard to commenting on the application online

The plans have been amended to include further information and the following comments have been received

1 letter has been received which in summary states:-

- It is still not clear what type of industrial activity would take place and if it should be a Class E or B2 use
- The amended application form implies that the existing floor space is light industrial
- Concerns with regard to the red line boundary, is it confirmed that Barn A does not form part of the proposal
- Further information/additional site layout with regard to parking of potential future staff and deliveries should be included
- No noise assessment, light pollution assessment or air quality assessments have been submitted
- Further information should be submitted to detail working hours – such as weekend working
- There are currently 6 commercial units for rent in Penistone (5 units of 2000 sq ft at Hoyle Mill, Penistone and 1 larger unit at Springvale Industrial Site). Have these units been assessed for suitability? As there appear to be suitable alternatives in the area there is no sequentially preferable reason to permit development at this Green Belt location.

Policy Context

The new Local Plan was adopted at the full Council meeting held 3rd January 2019 after it was found to be sound by the appointed Planning Inspector following the examination process. This means that it now takes on full weight for decision making process in planning law terms as the development plan for the Borough, superseding the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011).

Relevant Local Plan policies include:

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.

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.

GB2 – Replacement, extension and alteration of existing buildings within the Green Belt – Provided that the development will not have a harmful impact on the appearance or character and will preserve the openness of the Green Belt, we will allow extensions to buildings where their size does not exceed that of the original building.

GB3 – Changes of Use in the Green Belt - We will allow the change of use or conversion of buildings in the Green Belt provided that:

- The existing building is of a form, scale and design that is in keeping with its surroundings;
- The existing building is of a permanent and substantial construction and a structural survey demonstrates that the building does not need major or complete reconstruction for the proposed new use;
- The proposed new use is in keeping with the local character and the appearance of the building; and
- The loss of any building from agricultural use will not give rise to the need for a replacement agricultural building, except in cases where the existing building is no longer capable of agricultural use.

All such development will be expected to:

- Be of a high standard of design and respect the character of the existing building and its surroundings, in its footprint, scale and massing, elevation design and materials;
- Have no adverse effect on the amenity of local residents, the visual amenity of the area, or highway safety; and
- Preserve the openness of the Green Belt.

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.

BIO1 – Development will be expected to preserve or enhance the biodiversity and geological features of the borough.

POLL1 – Pollution Control and Protection

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, relevant sections include:

6: Building a strong, competitive economy
13: Protecting Green Belt Land

Assessment

Principle of development

The proposed development involves the change of use of part of an existing barn which is currently used to store agricultural machinery, into a former B1 light industrial use which is now a Class E use. The farm is located with the Green Belt and both national and local planning policy allows for the change of use of existing buildings in the Green Belt subject to the following:-

- The existing building is of a form, scale and design that is in keeping with its surroundings;
- The existing building is of a permanent and substantial construction and a structural survey demonstrates that the building does not need major or complete reconstruction for the proposed new use;
- The proposed new use is in keeping with the local character and the appearance of the building; and
- The loss of any building from agricultural use will not give rise to the need for a replacement agricultural building, except in cases where the existing building is no longer capable of agricultural use.

In terms of the existing building, the proposal would not significantly alter the appearance of the building as the proposed changes are internal, including the erection of internal dividing walls and no extensions are proposed. The building is of a substantial and permanent construction and only internal alterations would be required. The proposed use would be kept within the building; therefore, it would be in keeping with the character and appearance of the existing building and the remainder of the building would be used for agricultural purposes, therefore any use must be compatible with the agricultural use. There should therefore be no significant impact upon visual amenity or the openness of the Green Belt.

Policy GB3 also states that 'the loss of any building from agricultural use will not give rise to the need for a replacement agricultural building, except in cases where the existing building is no longer capable of agricultural use.' The agent has submitted a letter of justification that states that the building is used for the storage of vehicles and agricultural equipment and that there is ample space within the building for the current agricultural storage use but also the proposed use (photo of current internal arrangement below). The agent states that the applicant is not planning to construct any further buildings on site as there is currently sufficient space for the agricultural operations, therefore the proposal should not give rise for the need for any further agricultural buildings on site. The letter states that the proposal would be a diversity project that would allow for rent to be generated with the main family occupation (agriculture) would continue. The agent states that there are no smaller units within the Penistone Area that would be suitable for this use, a search of the website Rightmove was undertaken (December 2021) and no commercial units of this size were identified with the smallest being an industrial unit (Class B2) of 500sqm at Springvale Trading Estate, Penistone.

In addition to the above, the NPPF also states in Para 84 that the Government will support the growth and expansion of all types of business and enterprise in rural areas through the conversion of existing buildings and that the development and diversification of agricultural and other land based rural businesses will be promoted. The proposal is to change the use of part of an agricultural building to diversify the business and bring in further revenue from the rent for the unit which is in line with Government policy.

In principle the conversion of existing buildings in the Green Belt to other uses is acceptable subject to the proposal complying with the relevant policies. No extensions or external

changes are proposed as part of this proposal therefore in principle the proposal is considered to be appropriate development within this Green Belt setting in accordance with the NPPF and policy GB2 of the Local Plan.



The plans have been amended during the course of the application due to additional information being required and the end user has been amended, however as this is a Class E use then consideration must be made for other potential Class E uses on the site. Given the vast array of uses covered by Class E which may not be suitable in this rural area, it is recommended that the use is limited to a former Class B1 use, for light industrial, office, research and development.

In addition to the above, the proposal must not have any adverse effect on the amenity of local residents, the visual amenity of the area, or highway safety; and should preserve the openness of the Green Belt. These issues have been assessed below.

Residential Amenity

The Council's Regulatory Services Section have been consulted and have raised no objections to the scheme and have not requested that any further details, such as noise surveys, air quality assessments or a light pollution assessment are submitted. The Officer states that 'this development is unlikely to have an adverse impact on health and the quality of life of those living and/or working in the locality.' The proposed occupier, AGF Ltd who operates a business that builds batteries for electric gates, locks and keypads and light fabrication of railings and gates would be considered an industrial process that could be carried out within a residential area without causing detriment to the area and would fall under a Class E use (previously Class B1). As stated above it is recommended that the use is limited to a former Class B1 use, for light industrial, office, research and development which would limit any impact upon adjacent residential properties.

The proposal is situated over 30m from residential dwellings within the Westfield Farm complex. The proposal is limited in scale due to the floorspace area of the building (216sqm in total) to be used for this light industrial use. Given the building is to be split with part of the building being used for agricultural purposes, including part use for livestock, any operations are likely to be compatible with the existing agricultural uses on the site. The existing agricultural operations at the site can take place 24hrs a day and given the operating hours are limited from 8.30am to 6pm there should not be any significant disturbance out of normal working hours. The operating hours should be conditioned from 8.30am to 6pm as stated within the application form.

As the proposed use is of a small scale, it should not cause significant noise, disturbance or traffic generation. The building is set away from neighbouring residential uses, it is felt that the proposed use should not have a significant adverse impact on neighbouring amenities in accordance with policy POLL1 and GB2 of the Local Plan, subject to conditions.

Visual Amenity

There are no external changes proposed therefore visual amenity is not expected to be affected by the proposal. There should be no significant impact upon the openness of the Green Belt and any associated activity with the use would be limited.

Highway Safety

The Highways section has no objection to the proposal and have stated:-

'The proposals would see minimal difference in the vehicular use of the site and there is ample room for the parking and turning of vehicles within the site. However, the new Use Class E is quite extensive and the previous B1 use for which approval is being sought would now come under E(g). If possible, it would be good to have a suitably worded condition which requires any significant change in demand to be referred back to the authority for assessment. The proposals are otherwise considered acceptable from a highways point of view.'

No alterations to the access are proposed and adequate parking, turning and manoeuvring facilities exist within the site. The proposed change of use can be comfortably accommodated within the site and as such the proposal is not considered to be detrimental to highway safety subject to conditions.

Recommendation

Grant subject to conditions: