
2025/0013

Whitshaw Builders Ltd

Change of use from agricultural, commercial, and dwelling to builders' yard (Sui Generis)

Birkland Farm, Fullshaw Lane, Langsett, S36 9FD

Background

B/91/0269/PR - Erection of agricultural building, Field No. 8691

B/92/0725 - Erection of extension to barn

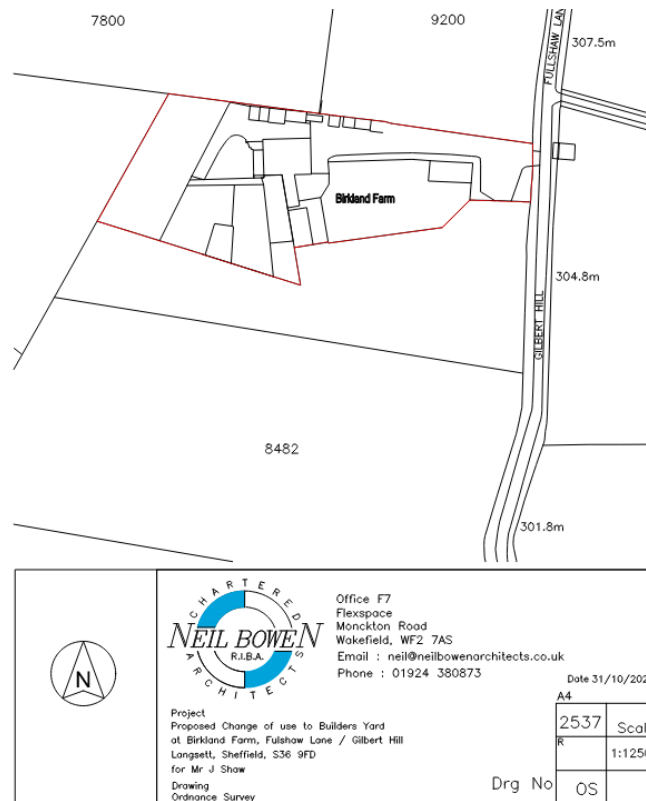
2023/0888 - Lawful development certificate for existing use of agricultural building as a residential dwelling

2024/0252- Outline application for the removal of buildings (agricultural, commercial, and dwelling) and erection of 1no. detached dwelling (access and layout only considered at this stage) - Approve

Description

The site currently consists of a number of barns and outbuildings set in an isolated position off Fullshaw Lane, Langsett. The site has been previously used for agricultural purposes. The site currently consists of a number of principal agricultural buildings and a series of linear buildings to the North of the principal agricultural buildings. The buildings are all accessed off a long and straight private drive off Gilbert Hill/Fullshaw Lane. The other larger former agricultural building houses the dwelling and commercial area (formerly a slaughter and butchery area with associated cold stores and hanging space). A small proportion of this building was recently used for agricultural purposes, the remainder was a domestic workshop and a domestic garage. The linear buildings to the North of the site, along the boundary, are a cluster of agricultural and domestic buildings.

A static caravan is located within the large barn centrally within the site, and the barn is currently in use as a self-contained dwelling. In 2023 a Lawful development certificate for existing use of agricultural building as a residential dwelling was issued under application ref 2023/0888.



Layout Plan as Existing

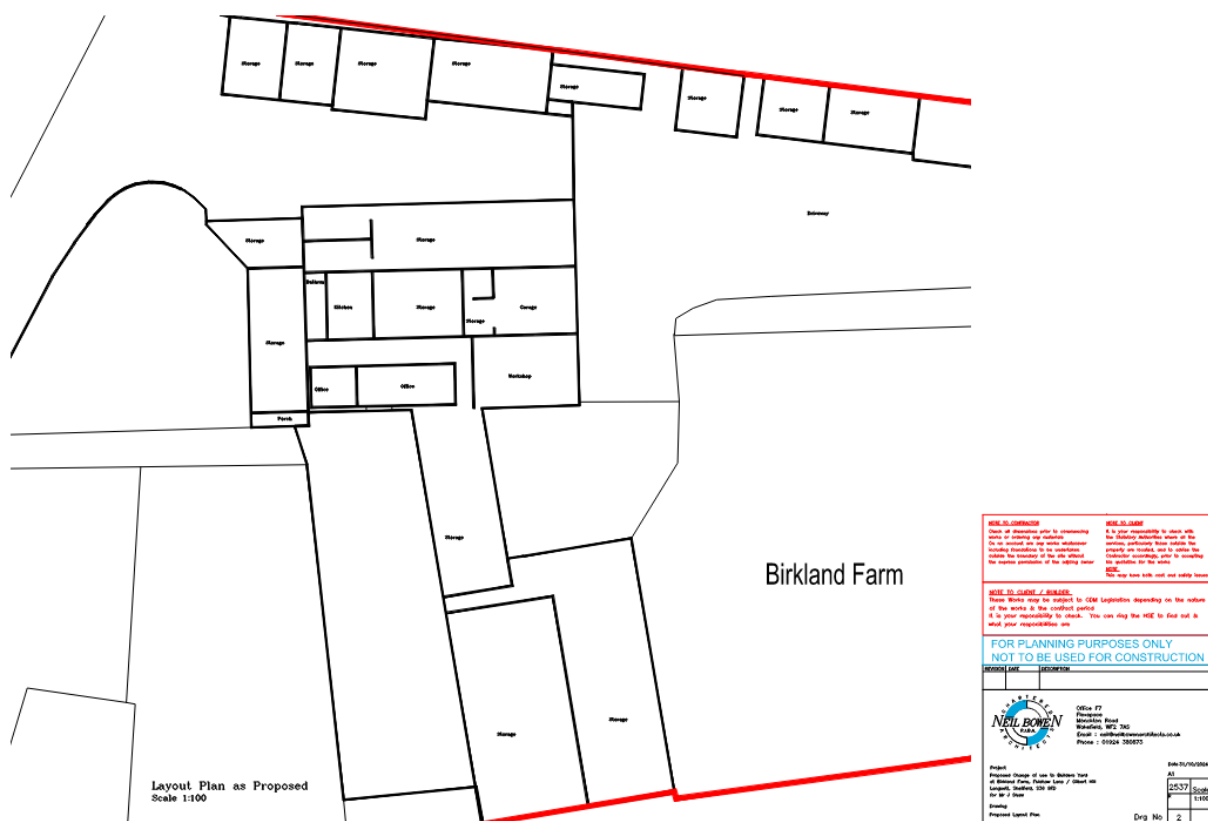
Proposed Development

This application proposes the change of use of an agricultural, commercial, and residential use to a builder's yard within Sui Generis use. The site contains a number of buildings that

are utilised for the above purposes. The level of agricultural and commercial activity at the site has significantly reduced in recent years, and as a result the use has become largely redundant. The applicant is seeking an alternative use for the site and buildings in the form of a builder's yard.

The majority of the existing buildings within the site are proposed to be used for storage of building materials pending transportation for use on active building sites. Part of the existing residential area is proposed to be used as ancillary office space and welfare accommodation in association with the function of the yard. The application states that external storage space is not required.

The proposed use will not lend itself to visiting customers, it will be for the storage of low volumes of large building materials and equipment only. The proposal will require 2-3 staff members to provide security, co-ordinate deliveries, equipment maintenance and cleaning. As such the intensity of the use is expected to be relatively low. The agent states that the transportation of building materials and construction plans is expected to be relatively infrequent. The business will typically have five operational sites within South Yorkshire that would be serviced from this storage yard. Each would typically require one delivery of materials and equipment per week resulting in approximately five deliveries weekly.



Policy Context

Planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise and the NPPF does not change the statutory status of the development plan as the starting point for decision making. The Local Plan was adopted in January 2019 and is also now accompanied by seven masterplan frameworks which apply to

the largest site allocations (housing, employment, and mixed-use sites). In addition, the Council has adopted a series of Supplementary Planning Documents and Neighbourhood Plans which provide supporting guidance and specific local policies and are a material consideration in the decision-making process.

The Local Plan review was approved at the full Council meeting held 24th November 2022. The review determined that the Local Plan remains fit for purpose and is adequately delivering its objectives. This means no updates to the Local Plan, in whole or in part, are to be carried out ahead of a further review. The next review is due to take place in 2027 or earlier if circumstances, require it.

Local Plan Policies

The site is allocated as in the Green Belt in the Local Plan where GB1 applies, protecting the Green Belt in accordance with National Planning Policy.

Policy 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.

The following policies are also of relevance: -

Policy E6 Economic development in rural areas
Policy D1 High quality design and place making
Policy BIO1 Biodiversity and Geodiversity
Policy T4 New Development and Transport Safety

Supplementary Planning Document – Barn Conversions
Supplementary Planning Document – Parking
Supplementary Planning Document - Biodiversity and Geodiversity

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.

Para 154 is of relevance to this proposal and states that: -

Certain other forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- mineral extraction;
- engineering operations;
- local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- the re-use of buildings provided that the buildings are of permanent and substantial construction;
- material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order

Consultations

Drainage – No comments received.

Highways – No objections

Pollution – No objections

Langsett Parish Council – Object for the following reasons:

- Green Belt site should be free from commercial use
- Visual Impact
- Highways concerns with regards to large vehicles, volume of traffic and parking
- Air quality
- Impact to wildlife
- Impact to rural community, not to the benefit of local community
- If allowed significant work would be required to substandard nearby roads

Local Cllrs – No comments received.

Yorkshire Water – No comments received.

I acknowledge the comments made by the Parish Council and will address them in the assessment below.

Representations

1 Objection received with concerns regarding the impact to the access road.

Assessment

Principle of development

Birkland Farm is set within the Green Belt as allocated on the adopted Barnsley Local Plan where inappropriate development is, by definition, harmful and should not be allowed except in very special circumstances.

In terms of the change of use development within the Green Belt, para 154 of the NPPF states that certain other forms of development are not classed as inappropriate in the Green Belt provided, they preserve its openness and do not conflict with the purposes of including land within it. The re-use of buildings provided that the buildings are of permanent and substantial construction is included.

Local Plan Policy GB3 also allows for changes of use to existing buildings in the Green Belt, subject to the various criteria. The policy states that:

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.
-

Policy GB3 of the Local Plan requires that the existing building to be converted 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 existing agricultural buildings are of a permanent and substantial construction and do not require any significant alterations to facilitate the proposed change of use. The buildings on site will therefore still appear as agricultural buildings.

In terms of the loss of the agricultural use, the agent states that the level of agricultural and commercial activity at the site has significantly reduced in recent years, and as a result the use has become largely redundant.

The Applicant is therefore considering options to diversify and introduce other rural business proposals which respect the character of the countryside and can support the ongoing use of the site. As such, given the above, the requirement of the buildings for further agricultural uses will not be required.

In addition to the above, policy E6 is supportive of economic development in rural areas if 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.

In terms of policy E6, the site is currently a mix of both agricultural and commercial use. The Council will encourage a viable rural economy by allowing development in rural areas if it supports the sustainable diversification and development of the rural economy. The Council also supports the re-use of existing rural buildings.

In principle, the proposed change of use is considered to be acceptable in terms of Policy GB3 and the guidance set within the NPPF. Other matters such as ecology, visual amenity, residential amenity, and highway safety are assessed below.

Visual amenity and Openness

In considering the impact on openness and visual amenity, Policy GB3 states that:- proposals should 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 must preserve the openness of the Green Belt. The existing buildings are of a permanent and substantial construction. The agent has confirmed that there would be no requirement for any physical works to any of the existing buildings at this stage.

The builder's storage facility will be located within the existing buildings ensuring the site would still appear agricultural in nature externally. The agent has stated that outside storage is not expected or required as part of this change of use. A condition should be included to state that the use should be kept within the existing buildings in order to protect the visual amenity of the Green Belt.

Although I acknowledge the concerns brought to our attention by the Parish Council, this site already has permission for commercial use as well as agricultural. The deliveries will be minimal resulting in an impact of a similar nature to the existing use. Furthermore, as the

storage of materials will be contained within the existing buildings on site and outside storage is not proposed, this will further reduce the visual impact within this rural area.

Based on the above, there would not be a significant impact on openness and visual amenity of the Green Belt and the visual amenity of this site in compliance with Local Plan Policies GB1, GB3 and the NPPF.

Residential amenity

The established agricultural and commercial use would lend itself to tractor and HGV movements associated with the existing use. The proposed opening hours of the yard will be 9am – 4pm Monday to Friday, no operations on a weekend. The Pollution Control Officer has been consulted and has no objection to the proposal.

In terms of activity, the proposed use will not lend itself to visiting customers, it will be for the storage of low volumes of large building materials and equipment only. The proposal will require 2-3 staff members to provide security, co-ordinate deliveries, equipment maintenance and cleaning. As such the intensity of the use is expected to be relatively low and comparable to the existing and former use.

Given the current 24hr agricultural operation, the proposed opening hours of the yard will be significantly reduced therefore should not cause any significant additional disturbance.

I acknowledge that there is objection in terms of potential impact to the access road, however as the site has an existing commercial and agricultural use, due to the low level of activity proposed by the applicant this is not expected to increase the potential impact if the site was to remain unchanged.

The proposal is therefore acceptable in terms of residential amenity, when measured against policy GB3.

Highways

The Highways Officer has been consulted and has no objections to the proposals. The site has an existing residential, agricultural, and commercial use; however, the operation of the site has gradually declined. That said there is no reason under the existing permission that this could increase should the site come into new ownership.

It is proposed to reutilise the site by way of a change of use to a builder's yard/ storage facility. This would involve the storage of building materials and plant/machinery within the numerous existing buildings prior to being transported to various construction sites within Barnsley and Sheffield as and when required.

The submitted supporting information suggests that, although there would generally be two to three staff members constantly on-site overseeing operations, the movement of materials from the site would be relatively infrequent with a typical week seeing around five deliveries leave the yard.

This level of use would be commensurate with the existing established uses in terms of both the type and frequency of vehicle movements; the proposals would therefore not result in an intensification of use of the site. No changes are proposed either within the site or to the existing site access. It is also noted that the proposed use does not involve the site being visited by members of the public.

In view of the above the Highways Department do not wish to raise an objection to the proposal and as a result no specific highways related conditions are deemed necessary. The proposal is therefore acceptable in terms of Highway Safety in accordance with the SPD Parking and Local Plan Policy T4.

Conclusion

The proposal represents appropriate re-use of buildings in the Green Belt which is not considered to have any significantly greater impact on the openness or character of the Green Belt compared to the existing established uses. Impacts on highway safety, residential amenity and visual amenity are also not considered to be of detriment to the area and as such the proposal is considered to be in line with relevant local and national planning guidance.

Recommendation

Approve subject to conditions.