
2021/1249

Mr Richard Lea

Erection of agricultural building (retrospective)

Stone Farm, Hermit Hill Lane, Wortley, Barnsley, S35 7DF

Site Location & Description

The application site is in relation to Stone Farm on Hermit Hill Lane in the village of Wortley – approximately 6km South of Barnsley Town Centre. The site is an established operational farm with numerous buildings of all sizes on the site, including a couple of residential properties (Stone Farmhouse and Stone Farm Bungalow) located in the North-West of the applicant's site. The materials are of typical agricultural style constructed from a mixture of timber, metal cladding and stone. The red line boundary itself includes the access into the site, from the South off Hermit Hill Lane to the proposed building located in the North-East of the site.

The site is located within the Green Belt and therefore the surrounding area is largely undeveloped, characterised by agricultural uses and scattered residential dwellings. The site is adjacent to a Grade-II Listed Building (Hermit Hill Farmhouse) which is located to the South of the site and shares a boundary line. A line of mature trees separation the building and the neighbouring buildings (including the Listed Building) to the South.

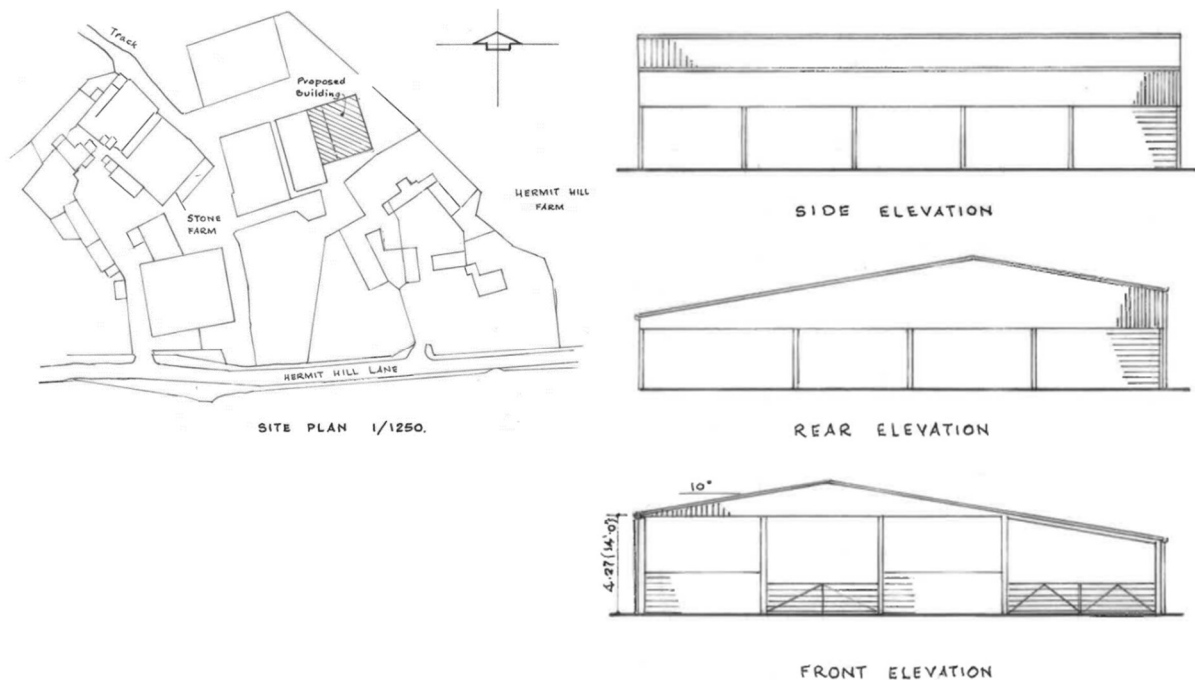




Proposed Development

The full application follows on from a previous prior notification application (2021/0838) which was subsequently withdrawn due to the agricultural building being used for livestock which meant that it did not fully conform with the relevant section within the GPDO. The proposed building has a square shape with a length of 22m x 20m resulting in a total footprint size of 495sqm. The building has a slightly asymmetrical roof shape with one side of the building having a higher eaves height than the other. The highest eaves height is 4.2m and the lowest eaves height is 3.2m. The building measures 5.7m to the highest part of the roof ridge and is constructed from concrete panels with Yorkshire boarding cladding, and a cement fibre profile sheet roof. The building is attached to an existing agricultural building.

The building has already been constructed and is built on site, therefore the proposal is being assessed as a retrospective application.



Previous planning history

B/05/0640/WO – Erection of extensions and alterations to farmhouse and conversion of outbuilding to form extension to dwelling (Approved with conditions)

2009/0738 – Change of Use of outbuilding to boarding kennels (Approved with conditions)

2021/0838 – Erection of single storey portal framed agricultural building for housing cattle and sheep (Application to determine whether prior approval is required for the erection of a building for agricultural use (Withdrawn))

Policy Context

Planning decision should be made in accordance with the local 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 Council has also adopted a series of Supplementary Planning Documents and Supplementary Planning Guidance Notes, which are other material considerations.

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. Relevant paragraphs include:

Para 127 and 130 – Design

Para 143, 144, and 145 – Green Belt

Local Plan

The Local Plan (adopted January 2019), alongside the Joint Waste Plan and relevant neighbourhood plans, form the statutory development plan for Barnsley. It establishes policies and proposals for the development and use of land up to the year 2033 and will be used when considering planning applications and to coordinate investment decisions that affect the towns, villages and countryside of Barnsley. The Local Plan supersedes the remaining saved policies from the Unitary Development Plan (adopted in the year 2000) and the Core Strategy (adopted in 2011). In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – sets out principles when considering development proposals.

Policy GD1: General Development – sets out appropriate proposals for development.

Policy D1: High quality design and place making – sets overarching design principles for the borough to ensure that development is appropriate to its context, and improves what needs improving, whilst protecting what is good about what we have.

GB1: Protection of Green Belt – In accordance with the NPPF, the erection of new buildings within the green belt will be classed as ‘inappropriate’ development with sites in the green belt being protected from such. Exceptions to this are:

- Buildings for agriculture and forestry;
- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries;
- 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;
- The replacement of a building provided the new building is in the same use and not materially larger than the one it replaces;
- Limited infilling in villages, and limited affordable housing for local community needs; and
- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land).

All such buildings will still be considered in terms of their impact on the openness of the green belt and whether they cause other harm.

In accordance with the NPPF and as set out in GB1, the Council will not allow proposals for ‘inappropriate’ development in the Green Belt unless it can be shown that there are very special circumstances that justify setting aside local and national policy.

Policy T4: New Development and Highway Improvement - 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.

Consultations

The Coal Authority - The Coal Authority’s Planning & Development Team considers that the content and conclusions of the Coal Mining Risk Assessment report are sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is safe and stable for the proposed development. We therefore wish to raise no objection to the proposed development.

Conservation Officer – On balance, it is felt that the application is probably acceptable. The listed Hermit Hill Farmhouse has already had its setting heavily compromised by extensive modern developments (dwellings) to the South and the modern farm operation to the North and West. The farm currently has numerous extensive and large portal framed sheds and a large silage clamp in relatively close proximity to the North-West. The area of this proposal is a storage area for equipment separated from the listed building by a mature belt of large trees. This can be seen in the aerial image below and for these reasons, I would not advise the proposed development would be materially harmful to the setting (any more than existing development poses already). The listed building is shown in red below with the belt of mature trees directly to the north bounding the curtilage of the listed building.

Forestry Officer – The building has already been constructed and therefore no comments are made to the application.

Highway Drainage – No comment.

Highways DC – The proposed agricultural building is to be sited amongst numerous other agricultural structures within an existing established farm. It appears that the proposals would not adversely impact upon the highway and are therefore considered acceptable from a highways development control perspective.

Pollution Control – No comment.

SYAS – No comment.

SYMAS – The site is located within a Coal Authority coal mining referral area due to the probable presence of relatively shallow coal and potential coal mine workings. The applicant has provided a coal mining risk assessment by the Coal Authority. The report discusses the mining legacy position and concludes the risks are low. The report makes some recommendations for a gas risk assessment in the event shall coal is encountered. Given the above, I have no objections to the proposals. If planning permission is granted it is recommended that the Coal Authority standing advice is attached to the decision notice.

Wortley Parish Council – No comment.

Ward Councillors – No comments.

Representations

Neighbouring properties were consulted on this proposal and a site notice placed nearby; no comments were received.

Assessment

Principle of development/Impact on Green Belt

The property resides within the green belt. Inappropriate development within the green belt will be refused unless it is shown that there are very special circumstances that justify setting aside local and national policy. Local Plan Policy GB1: Protection of Green Belt and NPPF paragraph 149 states that the construction of new buildings is inappropriate in the Green Belt, with several exceptions including buildings for agriculture and forestry. However, all such buildings will still have to be considered in terms of their impact on the openness of the Green Belt and whether they cause other harm. The proposed building measures 22.5 x 22m (total footprint size of 495sqm), attached to the East elevation of an existing agricultural

building and is fully enclosed within the established farming site. The building is located 75m from the main section of the road and is entirely screened from the front of the site and Hermit Hill Lane by the existing agricultural buildings and neighbouring properties. There are views into the site from the side and rear (as shown in the above photographs), however this is from private land and these views are obviously limited to the general public. No justification was initially provided by the applicant or agent in terms of a planning statement which confirms the reasoning behind the proposed scale of the building. However, the site visit showed that the farm complex is active, with all of the buildings being used for agricultural purposes including the holding of substantial amounts of livestock. Compared to the existing agricultural buildings on the site – some old and some new – the proposed building is average, or small in comparison. Indeed, the proposed building is attached to 2 larger buildings to the East which accumulatively have almost double the footprint of the proposed building. Also, these 2 buildings form only a small part of the agricultural complex and whilst the building is of a fairly large size, it is felt that it is fully enclosed within the farming complex and is entirely screened from public areas given that the field to the rear (North) and side (East) is privately owned with no public right of way passing through it. The agent has verbally provided information confirming the agricultural number, the amount of ewes on site (estimated to be over 1000), and also confirmed that the cows on site are all bulls and are intended for the meat trade, rather than valving or for milk. A file note has been added to the application with these statements.

The proposed development should also be considered with the backdrop of nationally set permitted development rights allow for agricultural buildings to be erected under the prior notification scheme up to 1000sqm floor area. The application requires full planning due to the fact that the building is to be used for livestock (sheep and a cow herd in this case). The building therefore is well within the defined national limits for general purpose/storage agricultural buildings, which are more often than not found in the Green Belt or Rural areas. Should the building not have been used for livestock, the applicant could have submitted a prior notification for an agricultural building up to 1000sqm in floor area. Whilst this is not necessarily a direct comparison as the building is clearly used for livestock, it gives an indication to the size of such buildings in the Borough and nationally on sites greater than 5 hectares. Compared to other agricultural buildings approved in the Borough, the agricultural building is not considered to be overly excessive given the existing and potential future size/output of the agricultural holding. This proposal was initially submitted as a Prior Notification through the above method (2021/0838) but was subsequently withdrawn after it came to light that the building was intended to hold livestock. There is no real doubt that the building will be used for anything other than agricultural purposes to support the existing and established farm business. Undoubtedly, a building of this size will have some impact on the openness of the Green Belt, but this impact is not significantly detrimental given that it is largely screened from public areas. The proposed development is therefore in compliance with Local Plan Policy GB2 and is acceptable in terms of its impact on the Green Belt.

Visual Amenity and Impact on Listed Building

The building is fairly large with a footprint size of 495sqm but is constructed of a typical agricultural style, from concrete column bases and Yorkshire timber boarding. The building is of a similar, or smaller, size than the other agricultural buildings on site and in comparison to these is clearly not excessively sized. The surrounding area is largely characterised by these agricultural buildings, converted farm buildings and undeveloped green fields. The proposed building is fully in keeping with the surrounding area and whilst it is fairly large, it is no larger than the other buildings on the site, or nearby, and is not excessive in size/scale. The building is designed with a slightly asymmetrical pitched roof which results in a different eaves height on each side elevation. The highest eaves height is 4.2m to the eaves and the lower eaves height is 3.2m, with the roof height being 5.7m to the highest point. None of

these heights are considered to be excessive, and are largely in line (or smaller) than other outbuildings on the site.

The building is located immediately to the North of a grade-II listed building (Hermit Hill Farmhouse), however the building is separated by a line of mature trees which entirely screen the site from the Listed Building. The Conservation Officer has been consulted on the proposal and has not raised any objection to the application given that the existing farm operation, which contains several very similar buildings, has already significantly encroached onto the Listed Building and the proposal does not present any concerns.

The proposed development is considered to be in keeping with Local Plan Policies D1: High Quality Design and Place Making and HE2: Impact on Listed Buildings and is acceptable in terms of visual amenity and the impact on the Historic Environment.

Residential Amenity

There are some residential properties located within the site itself and immediately to the South, with several properties located within the Hermit Hill Farm complex. The closest of which are Hermit Hill Farmhouse (20m to the South), Twelve Oaks Barn (28m to the South) and The Mistal (28m to the South-East). The proposed building is fairly large but is not excessive compared to the other buildings located on the established farming complex. That being said, the height is fairly restrained with a maximum height of 5.7m to the highest part of the roof ridge and is situated to the North of the adjacent residential dwellings. The site visit showed that the adjacent trees are taller than the building itself. Buildings and extensions generally have a much greater overshadowing and overbearing impact when they are situated directly to the South which is not the case here. There is also at least a 20m separation from the nearest properties with a line of mature trees located between the Southern elevation of the barn and the nearest properties which is not considered to be significant but is sufficient given the line of mature trees which screen the building. Pollution Control have been consulted on the proposal and have not raised any objection to the application, indicating that a restriction on the construction days and times should be added as a condition. However, this is unnecessary given that the building has already been erected and is being dealt with as a retrospective application.

The building is to support the existing farm operations on site and given that they are to hold livestock will likely result in an increase in the noise and general disturbance generated from the site/building, but clearly this does not change the character of the area. The proposed development is considered to be in compliance with Local Plan Policy GD1: General Development and is acceptable in terms of residential amenity.

Impact on Trees

There is a line of mature, unprotected trees on the Southern boundary of the site, adjacent to the proposed building. The building has been constructed already and any impact will have already occurred. The Tree Officer has been consulted and stated that the trees were low quality Conifers and whilst the site visit showed that they have clearly been significantly pruned, they have been retained and no significant concern is raised.

Highway safety

The building will be enclosed within the site, with the access and parking areas etc unchanged. Colleagues in Highway DC have been consulted on the proposed development and have not objected to the proposal. The proposed development is not considered to result in a significant uptick in vehicular movements to or within the site and it is considered to be in compliance with Local Plan Policy T4 and is acceptable in terms of highway safety.

Recommendation

Approve with conditions

Conditions:

- 1 The development hereby approved shall be carried out strictly in accordance with the plans (Proposed Location Plan and Proposed Site Plan, Floor Plans and Elevations) and specifications as approved unless required by any other conditions in this permission.
Reason: In the interests of the visual amenities of the locality and in accordance with Local Plan Policy D1 High Quality Design and Place Making.
- 2 The barn hereby approved shall only be used for agricultural practices and not for any other trade or commercial practice including those relating to livery.
Reason: In the interests of the amenities of local residents and in accordance with Local Plan Policies GD1 General Development Policy and POLL1 Pollution Control and Protection.
- 3 The proposed development hereby approved, shall comply with the findings and recommendations enclosed within the Coal Mining Risk Assessment (Dated 16th March 2022).
Reason: To ensure land safety and stability.

Informative(s):

- 1 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848.

Further information is also available on The Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority
- 2 Standing Advice valid from 1st January 2021 until 31st December 2022
The granting of planning permission does not in any way infer that consent of the landowner is given. Therefore, the consent of all relevant landowners is required before proceeding with any development, including that of the Council as landowner.

If it should transpire that the applicant does not own any of the land included in this consent, then it is the responsibility of the applicant to seek all necessary consents and approvals of the landowner.
- 3 The granting of planning permission does not affect the status of species such as owls and bats, which have protection under other legislation. These may be present and it is the applicant's responsibility to seek advice on how to avoid damaging operations. Further advice can be obtained from the Countryside Unit in the Planning & Transportation Services, on 01226-772576, or directly from www.naturalengland.org.uk