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**2021/1496**

Mr Philip Lofthouse

Change of use from barn to a venue suitable for events

Riddle Pit Farm, Flint Lane, Hepworth, Barnsley, HD9 2TR

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### **Planning History**

B/89/0208/PR – Erection of garage block with flat above (Refused)

B/90/1459/PR – Erection of two storey extension to farmhouse and attached garage with hay loft over (Historic)

2009/1185 – Erection of boarding kennels and change of use of part of barn for use as dog hydrotherapy centre (Withdrawn)

2010/0947 – Erection of boarding kennels and change of use of part of barn for use as a dog hydrotherapy centre (Resubmission; refused).

2020/0629 - Change of use of an existing building from a barn to an event location (weddings, etc.) – Refused for the following reasons:-

The site is located in close proximity to the Western Moors Local Wildlife Site which is a key ecological asset for Barnsley. Whilst the applicant has submitted an ecology report with their submission that recommends a number of mitigation and enhancement measures the applicant has indicated they would not be implementing these. In the opinion of the Local Planning Authority, without the recommended mitigation and enhancement measures, the nearby biodiversity feature, and the supported habitats, will not be suitably conserved or enhanced by the proposed development, contrary to Local Plan Policy BIO1: Biodiversity and Geodiversity and Supplementary Planning Document: Biodiversity and Geodiversity.

In the opinion of the Local Planning Authority, the proposed development fails to provide sufficient and suitable vehicular access into the site or parking facilities within the site in connection with the proposed use. The site is accessed via a single lane with no passing place, despite this being requested by the Local Planning Authority, and the plans do not provide adequate details on potential number of guests and sufficient and acceptable areas to accommodate the vehicles, to the detriment of the safe and free flow of traffic to Local Plan Policy T4: New Development and Transport Safety.

### **Description**

Riddle Pit Farm is located in Hepworth, accessed by a narrow, single lane off Flint Lane. The farm is set within an isolated location and is currently used for residential purposes with a large detached dwelling to the south of the site and several outbuildings including the barn which is the subject of this application – located to the North-West of the dwelling, in close proximity. The barn has been used for weddings previously under a temporary events notice.

The site is located within close proximity (40m to the North and 120m to the West) to the Western Moors which is a Local Wildlife Site.

The barn in question is no longer in agricultural use and has already been converted internally and houses a bar and area for a DJ.

## **Proposed Development**

The application is seeking approval for the change of use of the existing barn into an events venue, primarily for weddings. No significant external changes will be made to the building, with the exception of the insertion of 1 new access door. The agent has made it clear on the plans that temporary toilet and catering facilities will be installed prior to any event on the site and removed afterwards.

The proposal includes the creation of a 37 space temporary car park laid with Suregreen Permeable paving grids, PP50 that allow grass to grow through. The car parking area would be enclosed with paling fence with black matt painted gates and would be a one way gated system. A landscaping scheme is proposed to supplement the existing boundary screening and to help screen the cars that are parked there, albeit for the majority of time throughout the year the parking area will remain open..

The following justification has been provided for the proposal:-

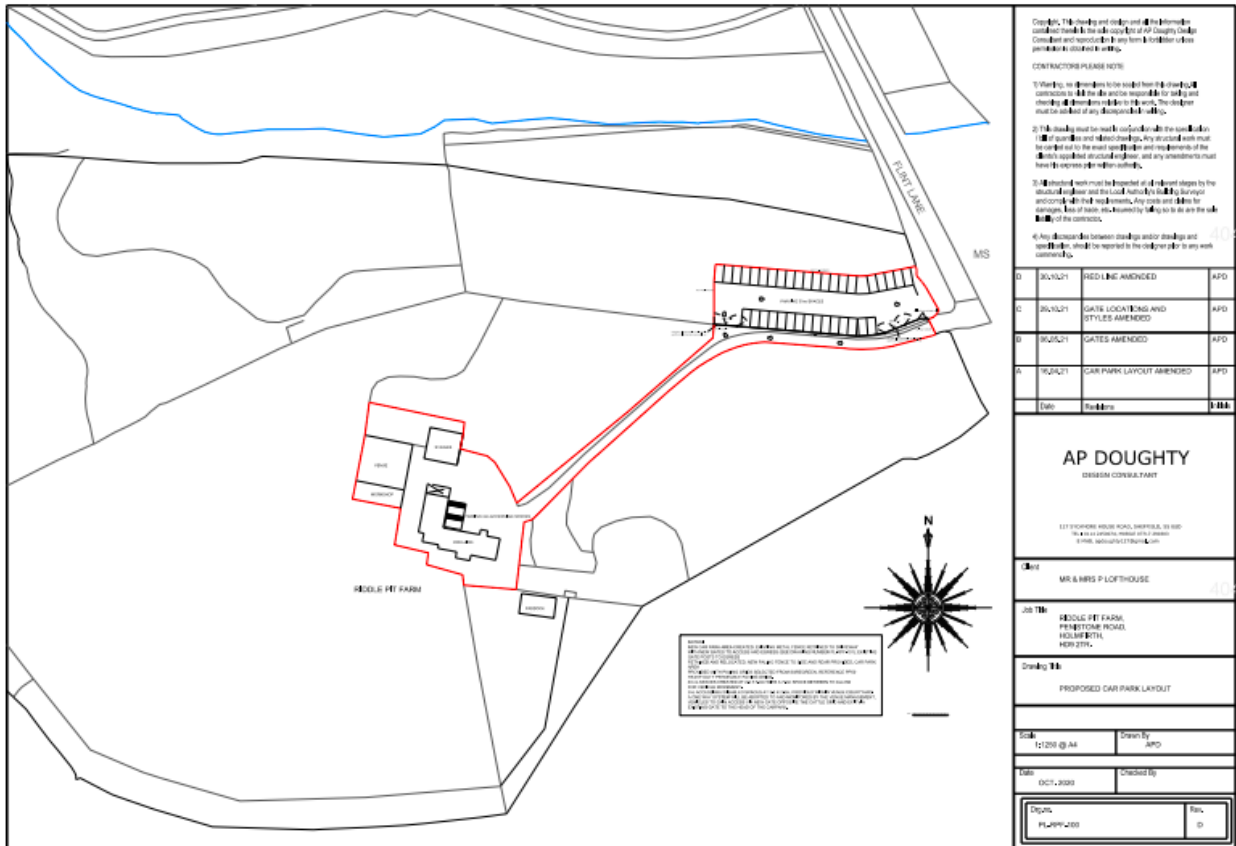
'The applicant has resided at the property in excess of ten years, and it had not been used as an agricultural farm for many years before that. The applicant owns 11 acres of land, but it is poor quality, and cannot sustain a working viable farm. The applicant is therefore keen to look at viable uses for the existing old agricultural buildings on site, and hence the idea of setting-up a wedding and venue business.

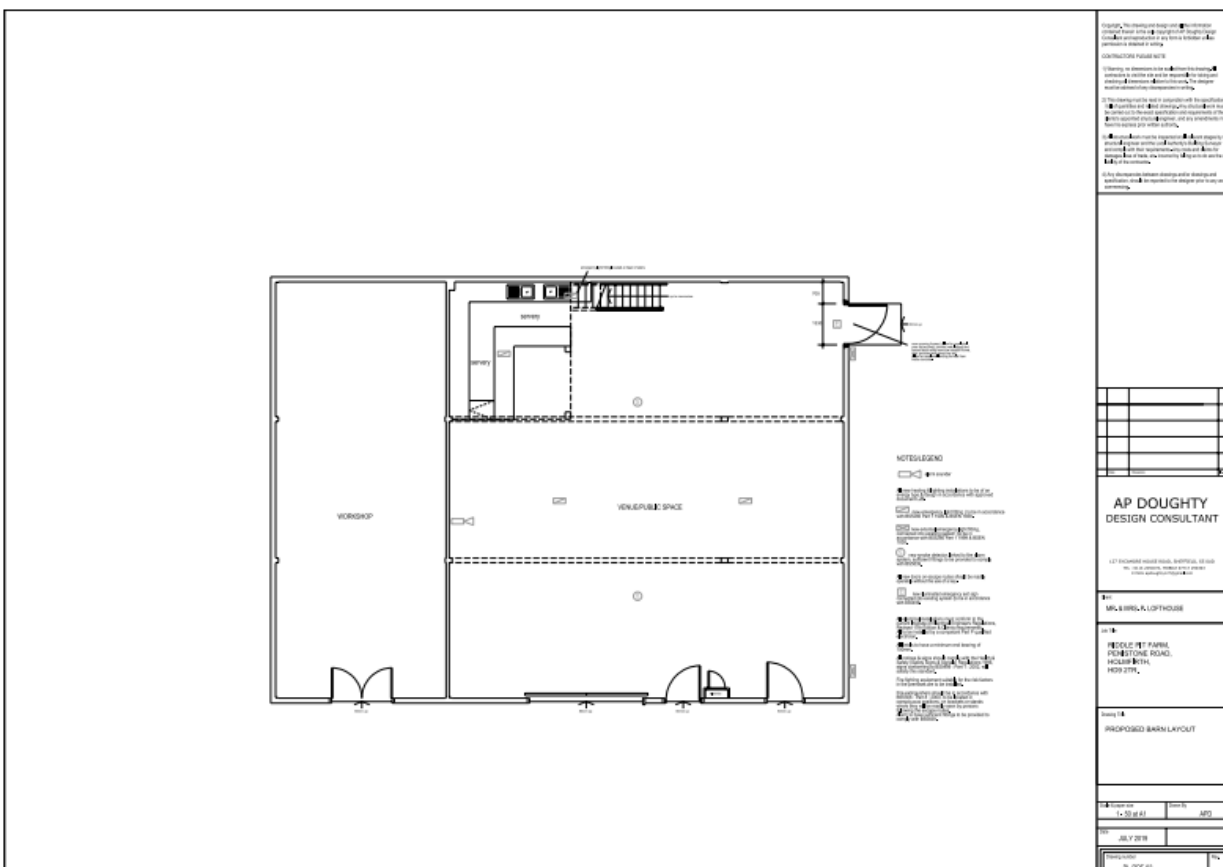
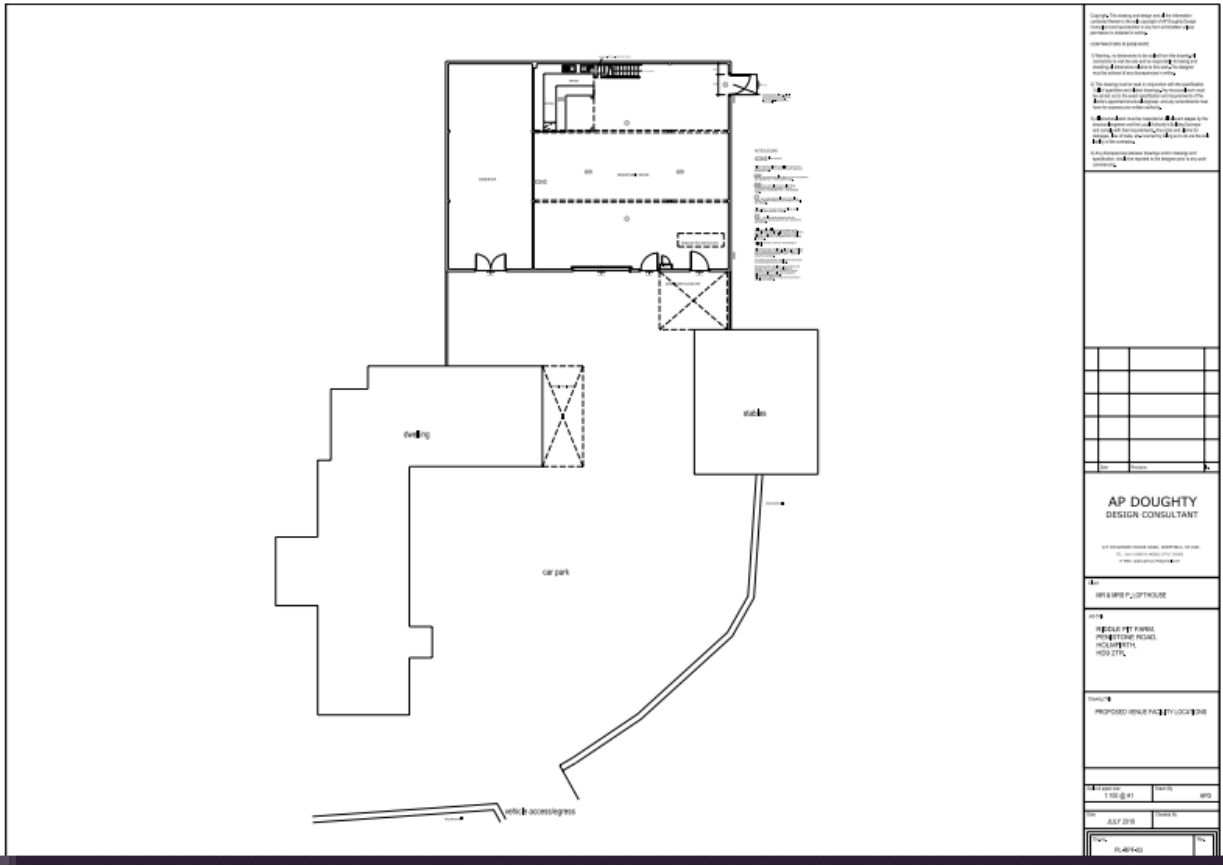
This revised application seeks to address the previous reasons for refusal through the submission of an ecology assessment and revised details of the car parking and access arrangements to the venue. The car parking arrangements have been re-designed with a one way system, which will be stewarded when in use, and new access gates, clear of the entrance from the highway. Further to this, the red line has subsequently been re-drawn around the venue building, applicant's dwelling and outhouses and the parking area.

The proposed use is mainly aimed at attracting business as a wedding venue. The 'wedding season' is predominantly March to October, when most of the future bookings are likely to occur, but the venue is a year-round enterprise. On a typical venue operating day, guests will be marshalled into the proposed parking area close to the public highway and will park on the edge of a flat area of the field adjacent to the access track. Guests will then walk across to the venue, a distance of around 120 metres, along the access track. The venue is large enough to host an average wedding party gathering, and outside catering and temporary toilets will be brought in accordingly to cater for demand, as shown on the proposed plans.

There are very little outlined external alterations to the building with the exception of a new opening added to the side elevation of the barn, but this is not visible from the front of the barn in the courtyard and will have little impact upon visual amenity. The proposed location plan shows a portable catering preparation area which is attached to the front of the barn in between the barn and the stables, and a portable toilet facility attached to the dwelling.

These are fairly small scale in comparison to the existing buildings on site, including the dwelling itself. The toilet measures 16.8m<sup>2</sup> and the catering facility measures 17.5m<sup>2</sup> which in comparison to the existing buildings, is modest. Additionally, the applicant has confirmed that these facilities will be added to the site a day before the event takes place and taken down the day after.'





PROPOSED FRONT ELEVATION TO BARN

PROPOSED SIDE ELEVATION TO BARN

PROPOSED SIDE ELEVATION TO BARN

PROPOSED REAR ELEVATION TO BARN

**CONTRACTOR RESPONSIBILITIES**

1. The Contractor shall be responsible for the construction of the proposed barn in accordance with the approved plans and specifications.

2. The Contractor shall ensure that the construction complies with all applicable building codes and regulations.

3. The Contractor shall provide a detailed schedule of construction and ensure that the project is completed within the agreed time frame.

4. The Contractor shall maintain clear access to the site at all times and ensure that the site is left in a clean and safe condition upon completion.

5. The Contractor shall be responsible for obtaining all necessary permits and approvals for the construction.

6. The Contractor shall provide regular progress reports to the client and address any concerns or changes in a timely manner.

7. The Contractor shall ensure that the construction is completed to the satisfaction of the client and that all work is done in a professional and ethical manner.

8. The Contractor shall be responsible for the removal and disposal of any waste or debris generated during the construction process.

9. The Contractor shall ensure that the construction does not cause any damage to the surrounding property or environment.

10. The Contractor shall provide a final inspection and certification of the completed barn to the client.

11. The Contractor shall be responsible for the maintenance and repair of the barn for a period of one year after completion.

12. The Contractor shall be responsible for the insurance and bonding of the construction project.

13. The Contractor shall be responsible for the payment of all subcontractors and suppliers.

14. The Contractor shall be responsible for the payment of all taxes and fees associated with the construction project.

15. The Contractor shall be responsible for the payment of all other costs associated with the construction project.

16. The Contractor shall be responsible for the safety of all workers and the public during the construction process.

17. The Contractor shall be responsible for the protection of the site and the surrounding area from unauthorized access.

18. The Contractor shall be responsible for the protection of the site and the surrounding area from fire and other hazards.

19. The Contractor shall be responsible for the protection of the site and the surrounding area from theft and other crimes.

20. The Contractor shall be responsible for the protection of the site and the surrounding area from any other risks or liabilities.

AP DOUGHTY DESIGN CONSULTANT

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MR. & MRS. P. LOFTHOUSE

MEADOW FET FARM  
 DUNSTONE ROAD,  
 BUCKLEBURY, CO. DUBLIN 15, IRELAND.

PROPOSED BARN ELEVATIONS

Scale: 1:20 @ A1

DATE: 20/09/22

PROJECT: 20/09/22

NO. 1

GATE No. 2

GATE No. 1

PROPOSED ELEVATION TO POST AND RAILS

PROPOSED ELEVATION TO POST AND RAILS

EXISTING GATE TO ENTRANCE

EXISTING ELEVATION TO POST AND RAILS

PROPOSED LAYOUT TO VEHICULAR ACCESS/EGRESS

EXISTING LAYOUT TO VEHICULAR ACCESS/EGRESS

**GATE DETAILS**  
 Both Gates No. 1 & 2 constructed from rolled steel with end stanchions/post form from 90mm diameter sections and securely bedded into sub structure, central stanchions are removable when car park in use with a metal cover plate over opening, all gates to be a 5 bar style and all to be painted matt black to match existing metal fencing to perimeter.

**CONTRACTOR RESPONSIBILITIES**

1. The Contractor shall be responsible for the construction of the proposed gates in accordance with the approved plans and specifications.

2. The Contractor shall ensure that the construction complies with all applicable building codes and regulations.

3. The Contractor shall provide a detailed schedule of construction and ensure that the project is completed within the agreed time frame.

4. The Contractor shall maintain clear access to the site at all times and ensure that the site is left in a clean and safe condition upon completion.

5. The Contractor shall be responsible for obtaining all necessary permits and approvals for the construction.

6. The Contractor shall provide regular progress reports to the client and address any concerns or changes in a timely manner.

7. The Contractor shall ensure that the construction is completed to the satisfaction of the client and that all work is done in a professional and ethical manner.

8. The Contractor shall be responsible for the removal and disposal of any waste or debris generated during the construction process.

9. The Contractor shall ensure that the construction does not cause any damage to the surrounding property or environment.

10. The Contractor shall provide a final inspection and certification of the completed gates to the client.

11. The Contractor shall be responsible for the maintenance and repair of the gates for a period of one year after completion.

12. The Contractor shall be responsible for the insurance and bonding of the construction project.

13. The Contractor shall be responsible for the payment of all subcontractors and suppliers.

14. The Contractor shall be responsible for the payment of all taxes and fees associated with the construction project.

15. The Contractor shall be responsible for the payment of all other costs associated with the construction project.

16. The Contractor shall be responsible for the safety of all workers and the public during the construction process.

17. The Contractor shall be responsible for the protection of the site and the surrounding area from unauthorized access.

18. The Contractor shall be responsible for the protection of the site and the surrounding area from fire and other hazards.

19. The Contractor shall be responsible for the protection of the site and the surrounding area from theft and other crimes.

20. The Contractor shall be responsible for the protection of the site and the surrounding area from any other risks or liabilities.

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PROPOSED AND EXISTING GATE DETAILS & LAYOUTS

Scale: 1:20 @ A1

DATE: 20/09/22

PROJECT: 20/09/22

NO. 2

**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.

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.

GB2: Replacement, extension and alteration of existing buildings in the Green Belt – Provided that it will not have a harmful impact on the appearance, or character and will preserve the openness of the Green Belt, we will allow the following development in the Green Belt:

- Replacement buildings where the new building is in the same use and is not materially larger than that which it replaces;
- 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;
- Dividing an existing house to form smaller units of accommodation.

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; and
- Have no adverse effect on the amenity of local residents, the visual amenity of the area, or highway safety.

Policy GB3: Changes of use in the Green Belt – The LPA 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

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.

Policy BIO1: Biodiversity and geodiversity – Development will be expected to conserve and enhance the biodiversity and geological features of the borough by:

- Protecting and improving habitats, species, sites of ecological value and sites of geological value with particular regard to designated wildlife and geological sites of international, national and local significance, ancient woodland and species and habitats of principal importance identified via Section 41 of the Natural Environment & Rural Communities Act 2006 (for list of the species and habitats of principal importance) and in the Barnsley Biodiversity Action Plan.
- Maximising biodiversity and geodiversity opportunities in and around new developments.
- Conserving and enhancing the form, local character and distinctiveness of the boroughs natural assets such as the river corridors of the Don, the Dearne and Dove as natural floodplains and important strategic wildlife corridors.
- Proposals will be expected to have followed the national mitigation hierarchy (avoid, mitigate, compensate) which is used to evaluate the impacts of a development on biodiversity interest.
- Protecting ancient and veteran trees where identified.
- Encouraging provision of biodiversity enhancements.

## SPDs

Parking

## 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.

## **Consultations**

Biodiversity Officer – No objection subject to the submission of a BEMP which should be secured via condition.

Highways DC – No objection subject to condition

Pollution Control – No objection subject to condition

Highway Drainage – No objection

Dunford Parish Council – No comments received

Ward Councillors – No comment

## **Representations**

There are no immediate neighbours to this site, but a site notice was placed at the front of the site; no objections were received.

## **Assessment**

### Principle of development/Impact on Green Belt

The property is set within the Green Belt. Local Plan Policy GB3 states that the LPA will allow for the change of use of the building 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 this case, the site is no longer used for agriculture so the conversion of the barn will not give rise to an additional agricultural building and the development will be a straight conversion without significant adaptation or extension. The applicant has indicated that temporary facilities will be installed before each event for the toilet and catering facilities. The temporary toilet facilities will measure 17.5sqm and the catering facility will measure 16.8sqm. In comparison to the existing buildings on site, even the barn and dwelling itself, these facilities are not considered excessive and are clearly a necessary addition to allow for the running of the proposed venue. Additionally, the applicant has confirmed that the temporary facilities will be added to the site the day before the event takes place and removed the day after, which can be covered by the LPA under a condition. It is felt this is a suitable arrangement and any deviation from the condition can be assessed by Planning Enforcement with action taken if necessary.

### *Proposed Car Park*

The proposed temporary car park would be classed as a material change of use which is acceptable in the Green Belt subject to protecting openness and not conflicting with the purposes of including land within in. Looking at other cases, a proposed overspill car park at a wedding venue (which at the time of the application did not have the benefit of planning permission) at Spicer Hill, Penistone was recently refused and dismissed at the appeal by the Inspector (app ref 2020/0670 - APP/R4408/W/21/3267860) The site was described as 'an open agricultural field where there is currently no development.' The proposal involved the access track and overspill car park created using bound porous natural stone aggregate materials. The proposal was refused due to its impact upon the openness and visual amenity of the Green Belt. In this instance, the proposed car park for this site forms a small part of field which lies adjacent to an existing access track with the backdrop of the existing buildings that it will serve. Therefore the siting of the car park on a field to the front of the site would be seen as part of the overall site (rather than an add-on in comparison to the Spicer Hill site). Given the position of the site for the car park adjacent to the road, it would not represent an encroachment of development into the countryside.

The proposal involves the formation of a temporary car park which would be laid with permeable paving grids. Whilst this would result in further development within the Green Belt, the grids would be laid on the existing grassed field and would not be overly visible. The proposed paving grids would allow grass to grow through so when the car park is not in use, it would not have a discernible adverse visual impact on the openness of the Green Belt and would appear as a field. The applicant is also providing some screening planting which will help to screen the cars from view when the car park is in use. The proposal would therefore adequately preserve the openness of the Green Belt and safeguards the countryside from encroachment and is therefore acceptable.

Given the car park would only be in use at the time of the weddings that would be taking place, the location of the car park and materials to be used, there is no objection to this temporary car parking in principle as it would support the proposed diversification of the farm and would be used in connection with the farm building converted. As such, it is considered that the proposal is in compliance with Local Plan Policy GB3 and does not have a detrimental impact upon the openness of the Green Belt and is acceptable in principle.

#### Highway safety

Concerns were raised with the previous application with regards to access and parking, and in particular the single-track road, leading from the highway to the venue, a distance of about 120m. Concerns raised by Highways was that the single-track road may/would lead to congestion with traffic moving in different directions, and there was therefore a need for passing places to be put into the existing length of track.

This issue has been addressed with the creation of a temporary car park for 37 spaces, with two access gates at either end of the fence between the field and the track. These gates would be opened when the parking area was in use and a one-way system installed and marshalled accordingly.

Highways DC have been consulted on the proposal and have no objections. The proposals include the creation of a temporary parking area created with permeable parking grids for 37 vehicles and this will operate on a one-way system. The existing access is hard surfaced and has adequate visibility at its junction with Flint Lane.

The proposals are considered to have minimal highway implications and there are no objections on highways grounds. The proposed development is therefore considered to be in compliance with Local Plan Policy T4: New development and Transport Safety.

#### Impact on Biodiversity/Ecology

The site is located in very close proximity to the Western Moors which is a Local Wildlife Site – around 40m to the North and 120m to the West from the existing barn. As outlined in the subtext of Local Plan Policy BIO1: Biodiversity and Geodiversity, the Western Moors is one of the Borough's 57 Local Wildlife Sites which are key ecological assets for Barnsley. This policy states that development will be expected to conserve and enhance the biodiversity and geological features of the borough.

Following the previously refused application, the applicant secured a further Bird survey with greater clarity of assessment with regards to birds, their nesting and habitat, and potential noise output from the venue, with music playing at various decibels over a period of time, and measured accordingly.

The bat and bird assessment which has been submitted is considered to be adequate and has been produced by a qualified professional with a number of important recommendation measures which ensure that policy BIO1 and the SPD: Biodiversity and Geodiversity is complied with. Indeed, the Council's Ecology Officer has no objection to the proposal subject to the submission of a Biodiversity Enhancement Management Plan. The Biodiversity Enhancement Management Plan shall be submitted and approved in writing by the LPA prior to events taking place. The (BEMP) shall be completed by a suitably qualified ecologist and shall include a plan showing areas on site that will clearly marked as no entry, this will be limited to land east of the barn. This is to prevent people moving close to sensitive bird areas. A minimum of two bat and bird boxes to be installed in suitable locations on the main farmhouse. Noise levels within the barn shall remain at 90db throughout the year to prevent disturbance to wildlife. Details when camping can/cannot be undertaken, and the field located to the north west of the barn (owned by the applicants) will be put into positive management to improve the habitat for ground nesting birds. Management will include sensitive management of the grassland for ground nesting birds, creation of additional foraging areas including scrapes/shallow pools and enhancement of the grassland to create an unimproved sward. The applicant has agreed with these conditions.

Subject to the above there are no objections to the proposal in terms of Biodiversity in accordance with Local Plan Policy BIO1.

#### Visual Amenity

There are very little outlined external alterations to the building with the exception of a new opening added to the side elevation of the barn, but this is not visible from the front of the barn in the courtyard and will have little impact upon visual amenity. The proposed location plan shows a portable catering prep area which is attached to the front of the barn in between the barn and the stables, and a portable toilet facility attached to the dwelling. These are fairly small scale in comparison to the existing buildings on site, including the dwelling itself. The toilet measures 16.8m<sup>2</sup> and the catering facility measures 17.5m<sup>2</sup> which in comparison to the existing buildings, is modest. Additionally, the applicant has confirmed that these facilities will be added to the site a day before the event takes place and taken down the day after. This can be included as a condition and the proposed impact upon visual amenity is acceptable.

The proposal involves the formation of a temporary car park which would be laid with permeable paving grids. Whilst this would result in further development within the Green Belt,

the grids would be laid on the existing grassed field and would not be overly visible. The car parking area would be enclosed with paling fence with black matt painted gates and would be a one way gated system. A landscaping scheme is proposed to supplement the existing boundary screening and to help screen the cars that are parked there, albeit for the majority of time throughout the year the parking area will remain open.. Given the car park would only be in use at the time of the weddings that would be taking place, there is no objection to this temporary car parking in principle as it would support the proposed diversification of the farm and would be used in connection with the farm building converted.

The proposed development is considered to be acceptable in terms of the impact upon visual amenity and openness of the Green Belt, in accordance with policy D1 and GB1 of the Local Plan.

#### Residential Amenity

The site is in a very remote location with no immediate neighbours. A noise report has been submitted with the application and the Pollution Control Officer has been consulted and states that: 'From the information provided it does not appear that there is likely to be a noise nuisance from the development. Subject to the following suggested condition:- *'Music Noise Levels from the development shall not exceed 31dB LA90, 15mins at the boundary of the nearest noise sensitive receptor at any time.'* The applicant has agreed with these conditions.

The proposal is therefore acceptable when measured against Local Plan Policy POLL1.

#### Conclusion

The proposal is in compliance with policy GB3 in that the site is longer used for agriculture so the conversion of the barn will not give rise to an additional agricultural building and the development will be a straight conversion without significant adaptation or extension. The temporary car park has been sensitively designed and now allatives previous concerns raised by Highways. Subject to the noise levels being controlled via a condition and the submission of a BEMP there are no objections to the proposal in terms of amenity or Ecology impacts in compliance with policies POLL1 and BIO1 of the Local Plan.

#### **Recommendation**

**Approve with conditions**