Planning Statement

Application for Barn for Equine Water Treadmill and Facilities at Cat Hill Livery, Cawthorne View, Firs Lane, Cat Hill, Hoylandswaine S36 7JB

Prepared by:

Sally-Ann Tinsley BSc, LLDip, PgC Ag Law
Equine Commercial-Legal

Marigold Cottage
The Square
Audlem
Cheshire
CW3 0AD

Sally-Ann@equineplanningconsultants.com
www.equineplanningconsultants.com

May 2021

CONTENTS

1.0 Introduction

2.0 Background

3.0 The Site

4.0 The Proposal

5.0 Planning Policy

6.0 Essential Need for Facilities

7.0 Conclusion

1.0 Introduction

1.1 A planning application is being submitted for a barn to accommodate an equine water treadmill and facilities at Cat Hill Livery, Cawthorne View, Firs Lane, Cat Hill, Hoylandswaine on behalf of the owner of the property, Miss Kelly Oxtoby.

1.2 I am a rural planning consultant specialising in the commercial equestrian development sector. I hold BSc Equine Welfare with Business Management, LLDip Law degrees and PgC Agricultural Law. I advise the public and private sector throughout the UK, preparing independent appraisals and attending appeal hearings and public inquiries. I have an in depth knowledge of the equine industry and equine welfare.

1.3 With formal academic qualifications in law, business management, equine science and behaviour, I act as expert witness in litigation and prepare expert reports for solicitors in relation to personal injury cases, disputes and veterinary negligence.

2.0 Background

2.1 Miss Oxtoby began running the livery business from the site in 2014, firstly as a tenant, and purchased the site in September 2015.

2.2 At the time of purchasing the site Ms Oxtoby believed that all planning permissions were in place. However, on understanding that this was not the case the relevant permissions were applied for in order to regularise all structures, together with the commercial equestrian use of the site for livery use.

2.3 In October 2018 under reference 2018/0949, a Certificate of Lawfulness application was submitted and subsequently granted for the existing use of the site as a livery business together with stabling, a barn and caravan, ancillary to the livery use.

2.4 A barn constructed in September 2015 was approved under a retrospective application 2018/1420.

2.5 Subsequently, in January 2020 under planning reference 2019/0250, approval was granted for the siting of a log cabin as a temporary rural enterprise dwelling for three years to support an existing business.

2.6 The equestrian business provides full livery and rehabilitation services for clients' horses.

2.7 Since the temporary dwelling was permitted, the business has been able to expand to increase the number of horses on site and to extend the provision of rehabilitation services to clients' horses.

2.8 An application for a barn/turnout pen, under reference 2020/0687, was approved in September 2020.

2.9 An application is now being submitted for a barn in which the equine water treadmill and associated facilities can be accommodated.

3.0 The Site

3.1 The site, known as Cat Hill Livery, is situated approximately 1.5 miles from the village of Hoylandswaine, approximately 7 miles from Barnsley, approximately 15 miles from Sheffield and approximately 6 miles from Junction 7 of the M1.

3.2 The site comprises approximately 10 acres (4 hectares) of gently sloping/sloping pastureland enclosed by post and rail fencing, stock fencing, trees and hedging. The buildings and structures on site are in close proximity to each other creating a compact holding that is well screened from the highway by thick hedging. There are no residential properties adjacent to the site or properties that look directly on to the site. The local area is characterised by small equestrian sites with stabling and ancillary facilities.

3.3 The following buildings/structures are on site:

- Row of block stabling creating five boxes with rubber matting and automatic

water, 10ft (3m) x 14ft (4.2m) each box, 18ft (5.5m) to the highest point at the front

- Barn of block construction, Yorkshire boarding with box profile roof, 45ft (13.7m) x 30ft (9.1m) with five internal boxes, 11.8ft (3.6m) to the eaves and 16ft (4.9m) to the ridge

- Open-fronted barn for storage of hay produced on the holding, bedding etc 45ft (13.7m) x 30ft (9.1m), 11.8ft (3.6m) to the eaves and 16ft (4.9m) to the ridge

- Large area of hardstanding adjoining barns to provide parking and turning area

- Log cabin, as temporary rural enterprise dwelling

- Barn/turnout pen 75ft (22.8m) x 35ft (10.6m), 12ft (3.6m) to the eaves and 16ft (4.9m) overall height to the ridge.

4.0 The Proposal

4.1 An application is being submitted for a barn which will accommodate an equine water treadmill and associated facilities.

4.2 The barn will measure 18.28m x 7.92m, 3.04m to the eaves with a mono pitch roof to 3.6m overall height. Consideration was given to the design of the barn, both in terms of its siting within the Green Belt and its proposed function. The barn will be of steel construction with concrete panels to a wall height of (1m) with dark green corrugated sheeting and green corrugated roof. The construction/materials will be the same as the approved barn/turnout pen immediately adjacent.

4.3 The north, south and east elevations will be fully enclosed. The front/west elevation will have a roller shutter access door to enable easy access for equipment etc. It will have a separate door for access by workers and through which the horses will be lead.

4.4 The facilities will comprise:

- equine water treadmill
- holding stable
- solarium

4.5 The concrete floor will be of a depth of 0.125m. The water treadmill will be placed in a pit with a depth of 0.4m to facilitate the piece of equipment and enable the horses to enter at ground level. The area of the water treadmill itself will measure 4.3m x 2m.

4.6 Images showing the size and structure of an equine water treadmill.





4.7 The water tanks will be positioned adjacent to the treadmill and measure 4.3m x 2m. The water will be reused. When the water is replaced, it will be released into a settling tank and will then drain down the fields. The manufacturer states: *The water is stored in a large tank and constantly filtered so a high pressure water supply is not necessary.*

4.8 A stable, measuring 3.6m x 3.6m, will be created in the corner of the barn where the horse will be prepared before leading into the water treadmill. A solarium, approximately 2m x1m, will be positioned close to the stable to enable the horses' muscles to be warmed before treatment.

4.9 Images below show a horse being worked on a water treadmill.





4.10 One LED light will be positioned at each end of the barn, shining inwards. The lights will only be used during the winter if treatments are taking place after 4.00 pm until 5.00pm for the final treatment of the day.

4.11 The barn is positioned to the north of the perimeter of the yard, alongside the existing hawthorne hedge and immediately adjacent to the field gateway. Sufficient space exists between the proposed barn and the existing barn/turnout pen to enable tractors to access the field.

4.12 The level of the land is lower than that of the yard. This results in the roofline of the barn/turnout pen being lower than the buildings in the yard when viewed from the north. In addition, the barn/turnout pen has a height of 4.9m to the ridge, whereas the proposed barn is only 3.6m. Accordingly, the roof line of all of the existing buildings on site is significantly higher than the proposed barn.

4.13 There will be no change to the access.

5.0 Planning Policy

5.1 The relevant national and local policies in examining this application are set out below:

- National Planning Policy Framework (NPPF) 2019
- Barnsley Local Plan, Adopted January 2019

5.2 The National Planning Policy Framework (NPPF) supports rural enterprise and growth. Section 6, 'Building a strong, competitive economy'

Supporting a prosperous rural economy:

83. Planning policies and decisions should enable:

a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;

b) the development and diversification of agricultural and other land-based rural businesses;

c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

84. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

5.3 Barnsley Local Plan, under '8. Economy', highlights:

The Challenge:

- Developing the Barnsley economy to meet local needs and to provide local job opportunities
- Enabling appropriate rural diversification
- Maintaining sustainable rural communities and viable villages

Policy E6 Rural Economy

We will encourage a viable rural economy by allowing development in rural area 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.

Development in rural areas will be expected to:

- Be of a scale proportionate to the size and scale of the settlement;
- Be directly related, where appropriate, to the needs of the settlement;
- Not have a harmful impact on the countryside, biodiversity, Green belt, landscape or local character of the area;
- Consider the re-use of existing rural buildings in the first instance; and
- Protect the best quality agricultural land, areas of lower quality land should be used for development in preference to the best and most versatile land.

8.32 It is important that the Local Plan plays a role in maintaining and enhancing sustainable rural communities. To do this we need to balance the potentially conflicting demands on rural areas. This policy seeks to support the diversification and strengthening of the rural economy and revitalisation of rural villages and to improve the range and quality of local services available to rural communities. This however must not be at the expense of maintaining the character and quality of Barnsley's environment. Development in rural areas must have due respect to the character of the landscape, biodiversity, and the Green Belt.

8.33 Rural diversification should relate primarily to business and employment development, rather than residential development, with priority given to the re-use of existing buildings rather than the construction of new ones. Small businesses, self employment and home based work are particularly important in rural areas and will be supported, as will opportunities to increase the availability of high speed broadband internet services in rural areas.

5.4 The rural business has been operating since 2014. It supports the local rural economy by purchasing all feed and supplies from local suppliers as well as the services of vets, farriers and other para-professionals.

5.5 A full-time position has already been created but this is expected to increase to include employed and self-employed opportunities. It is proposed to take on at least one young person on an apprenticeship scheme. This makes a valuable contribution in a rural area where employment opportunities are scarce.

5.6 The proposal will facilitate the growth of the existing enterprise but remain sustainable on the site. It will remain relatively small in scale.

5.7 NPPF Section 13. Protecting Green Belt land:

Proposals affecting the Green Belt

143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

144. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

145. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

5.8 Barnsley Local Plan states:

18. Green Belt and Safeguarded Land

18.1 National guidance in the NPPF sets out some uses which are generally acceptable in the Green Belt. We will not allow proposals for other types of development unless it can be shown that there are very special circumstances that justify setting aside local and national policy. In these cases, we will weigh up the harm that would be caused by allowing development that would not normally be allowed in the countryside against any potential benefits.

18.2 The NPPF states at paragraph 89 that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. 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

- Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land)

18.3 All such buildings still have to be considered in terms of their impact on the openness of the Green Belt and whether they cause other harm.

18.4 In accordance with the NPPF and as set out in GB1, we 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. As set out in paragraph 88 of the NPPF very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

5.9 The livery and rehabilitation enterprise falls within '*outdoor sport and recreation'* and as such is *'*appropriate development';

5.10 The barn to accommodate the equine water treadmill and facilities is essential and ancillary to the use of the site for commercial livery and provision of rehabilitation services to clients' horses. Accordingly, this falls within NPPF and the GB1 *'appropriate facilities for outdoor sport, outdoor recreation …'* and is, therefore, not inappropriate.

5.11 The barn will remain in close proximity to the other buildings retaining the appearance of a compact holding that is well-screened, from both the highway and adjacent properties.

5.12 The size of the barn is the minimum necessary to enable it to fulfil its purpose, as set out in section 6.0.

5.13 It represents a very small increase in the existing built form, which is able to:

'*preserve the openness of the Green Belt and …not conflict with the purposes of the Green Belt.'.* (NPPF Section 13 paragraph 145 (b))

' not have a greater impact on the openness of the Green Belt than the existing development;' (NPPF Section 13 paragraph 145 (g))

6.0 Essential Need for Facilities

6.1 Since obtaining consent to live on site, the applicant has been able to develop the business to increase the number of horses, both for full livery and rehabilitation. As anticipated, the business is now operating at capacity.

6.2 Having expanded the business to include the provision of rehabilitation services, it has become apparent that there is a demand for an equine water treadmill as a treatment in the rehabilitation of horses. The applicant has carried out market research for the substantial investment in her business, liaising with local vets, veterinary physiotherapists, and competition yards. The nearest water treadmill is in North Yorkshire.

6.3 An equine water treadmill is used for strengthening, toning and rehabilitation from muscular and joint injuries and also surgery. It is also extremely useful to increase fitness in competition horses, getting the horses to use muscles they would not normally use in ridden work. As well as body and limb strengthening, it improves their cardiovascular systems.

6.4 The treadmills can be run with fresh water or salt water at any level up to 1.35m and can incorporate spa jets and a chiller unit. The manufacturer provides the following list of benefits:

- Controlled, supervised exercise for rehabilitation and aerobic activity.
- Fully transparent doors and sides now available as well as overhead viewing and operating platform.
- Aqua walk and trot training can increase cardiovascular activity, stride length, muscle tone and strength
- Available as combined spa system with salt-water, spa jets and chiller unit option.
- The front sides of the treadmill are lower allowing the horse to move in a natural outline in a non-concussive environment yet working legs to build strong tendons and ligaments.
- Can be installed on the ground or below ground level to eliminate the need for ramps.
- Easy walk in, walk out.
- Less space required than a swimming pool and maintenance is easy, economic and more ecological.

6.5 The additional facility, which is ancillary to the use of the site to provide rehabilitation services, will increase revenue by providing a service which competitors are not able to provide.

6.6 This increase in revenue will lead to an increase in profitability, as well as greater stability to the business. This greater stability will be achieved by the potential to increase the client base.

7.0 Conclusion

7.1 The equine water treadmill and facilities are ancillary and essential to the lawful use of the site for commercial livery and rehabilitation purposes.

7.2 Livery services fall within 'outdoor sport and recreation' and as such it is appropriate development.

7.3 The position and design of the barn is informed by its proposed function but also to minimise any impact.

7.4 The development represents a relatively small increase in the context of the existing development on the site.

7.5 Accordingly, the proposal fully complies with local and national planning policy.
