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Application reference number	2025/0146
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Application Type	Full
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Proposal Description:	Construction of horse arena, including levelling of ground/digging down, surface, and post and rail fence boundary
Location:	Lower Maythorn Barn, Lower Maythorn Lane, Whitley Common, Barnsley, HD9 7TW

Applicant	Mr P Pieske
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Number of Third Party Reps	None	Parish:	Dunford Parish
		Ward:	Penistone West Ward

SUMMARY

The application is being brought before members as the application would require S106 agreement in relation to a biodiversity net gain 30-year monitoring agreement. The proposal itself is for the construction of horse arena, including levelling of ground/digging down, surface, and post and rail fence boundary

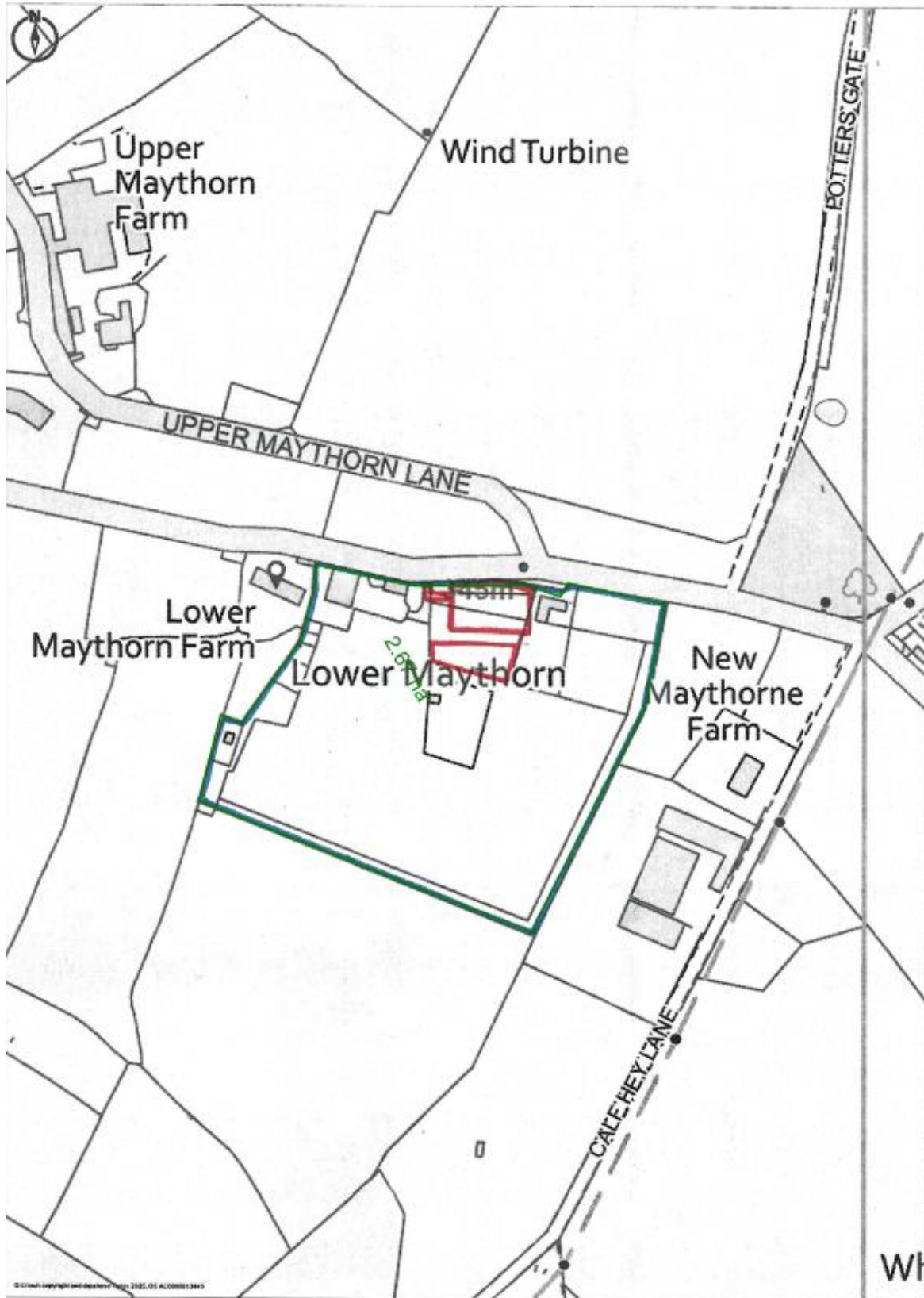
The site lies within the Green Belt as defined in the adopted Barnsley Local Plan. The proposal is for non-commercial use, principally for the owner and his family who live at Lower Maythorn Barn, a residential dwelling adjacent to the application site. Additional information and clarification have been provided during the course of the application in relation to ecology.

The proposal will have no adverse impact on highway safety, residential or visual amenity and is considered to be acceptable in policy terms. The proposal is therefore considered to be an acceptable and sustainable form of development in line with paragraphs 7 and 8 of the National Planning Policy Framework (NPPF, 2024).

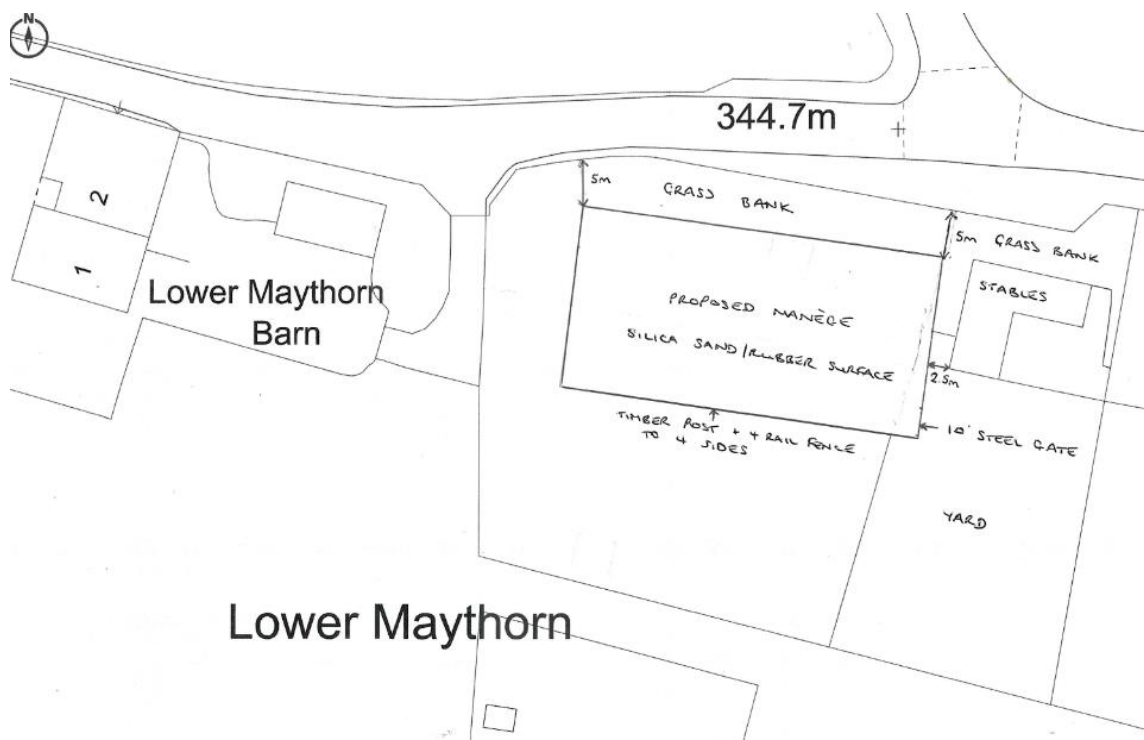
The original report that went before Members is shown below but a subsequent update on the initial biodiversity requirements is provided at the end .

Recommendation: **GRANT Planning Permission subject to conditions**

Location Plan



Site Plan



Introduction

The applicant seeks full planning permission for the construction of horse arena, including levelling of ground/digging down, surface, and post and rail fence boundary. The horse arena would be located approximately 45m east of Lower Maythorn Barn, 5m south of Lower Maythorn Lane, which is also located at a higher ground level, and 2.5m from the existing stable block. The arena would have an area of approximately 800sqm and be bounded on all sides by a timber post and rail fence, with a 10-foot steel gate on the southeastern boundary.

Site Description

The site is part of an approximate 2.67-hectare holding located to adjacent to the applicant's dwellinghouse of Lower Maythorn Farm. The submitted design and access statement states that along with two horses owned by the applicant, the land is used for grazing of cattle and sheep.

The proposed site location is close to the existing stable block and enclosed paddocks, although some paddocks would be replaced by the proposal. The site location is close to the existing vehicular access point with Lower Maythorn Lane, which is shared with Lower Maythorn Barn.

The broader area is characterised by gently rolling terrain, contributing to an undulating landscape that is primarily agricultural in appearance. Many buildings within the area appear to remain in agricultural use, but some, as in the case of the applicants', have been converted into residential dwellings.

Site History

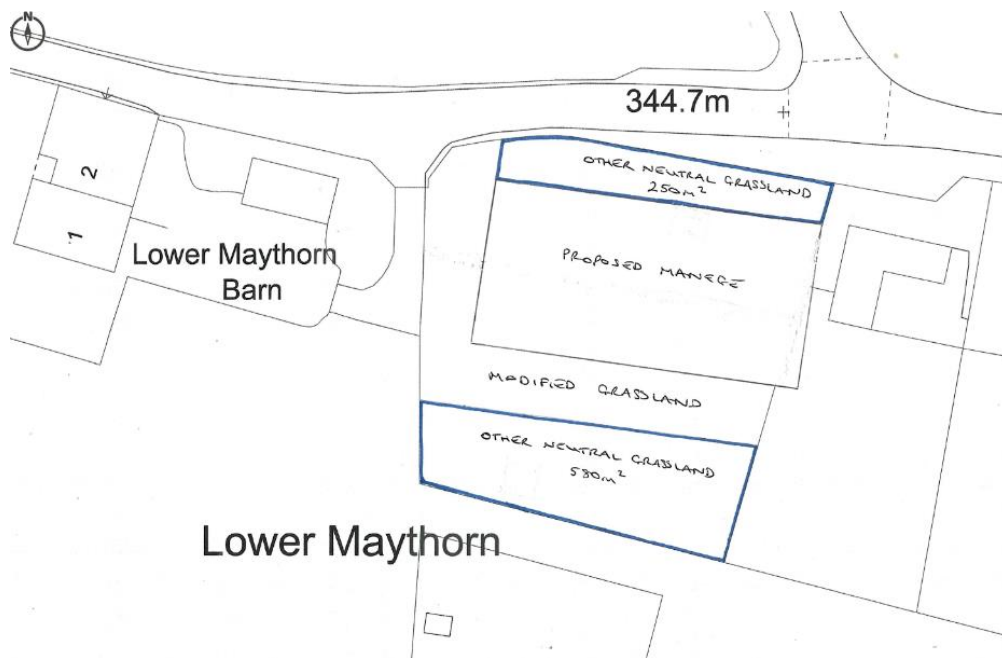
Application	Description	Status
2025/0502	Erection of single storey extension (Amended Plans) (Listed Building Consent)	Approved
2025/0501	Erection of single storey extension (Amended Plans)	Approved
2025/0355	Erection of 1.65m high boundary fencing	Approved
2021/0153	Erection of stables	Approved
2021/0089	Replacing existing soft wood doors and windows with hard wood doors and windows (Listed Building Consent)	Approved
2020/0526	Removal of wall between kitchen and garage, replacement of garage door with window and new door to rear. Add walls, windows and a door to an existing roofed open-sided wooden beam porch	Approved
2020/0515	Removal of wall between kitchen and garage, replacement of garage door with window and new door to rear. Add walls, windows and a door to an existing roofed open-sided wooden beam porch	Approved
2015/0217	Change of use from agricultural/grazing to equestrian and erection of stable block	Approved
B/05/0512/PR/LB	Alterations to two dwellings to form one two storey dwelling (Listed Building Consent)	Approved
B/05/0511/PR	Alterations to two dwellings to form one two storey dwelling	Approved
B/01/1217/PR/LB	Stone cleaning to Listed Building (retrospective)	Approved
B/01/0061/PR/LB	Conversion of barn to form two dwellings, extensions and alterations to existing farmhouse and reinstatement of cottage	Approved
B/01/0061/PR/	Conversion of barn to two dwellings, erection of three garages, new access, extension to existing house with residential use of adjoining building	Approved
B/01/0060/PR/	Conversion of barn to two dwellings, erection of three garages, new access, extension to existing house with residential use of adjoining building	Approved
B/00/0401/PR/LB	Conversion of barn into one dwelling and erection of detached garage	Approved

B/00/0400	Conversion of barn into one dwelling and erection of detached garage	Approved
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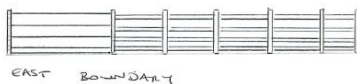
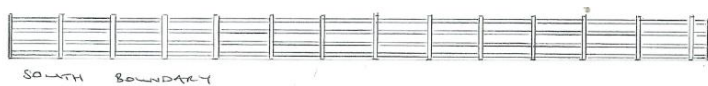
Proposal

The applicant seeks permission to create an approximate 40m by 20m (800sqm) horse arena (manège) which would include the levelling of ground/digging down, surface, and the erection of a post and rail fence boundary, also featuring a steel gate. An area of land adjacent to the site is designated for biodiversity net gain and would be the subject of the 30-year monitoring agreement.

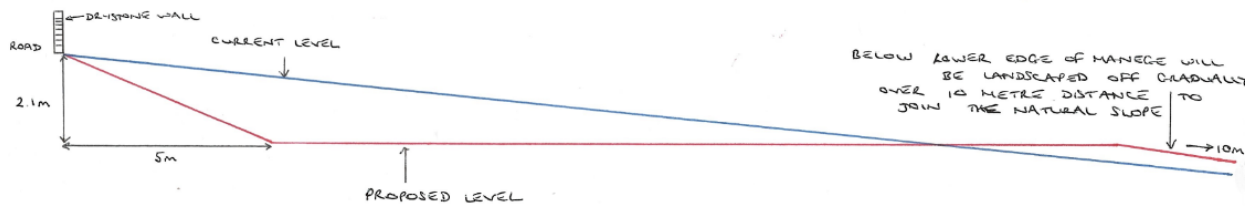
Proposed Plan



Proposed Boundary Treatments



Proposed Ground Levels



Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for Barnsley consists of the Barnsley Local Plan (adopted January 2019).

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

The site is identified as Green Belt within the Local Plan and as such the following policies are considered to be relevant to this application:

- Policy GB1 Protection of Green Belt
- Policy GD1 General Development
- Policy Poll1 Pollution Control and Protection
- Policy T4 New Development and Transport Safety
- Policy D1 High Quality Design and Place Making
- Policy HE1 – The Historic Environment

National Planning Policy Framework (NPPF) (2024) and the National Planning Practice

Guidance

In December 2024, The Government published a revised National Planning Policy Framework ("NPPF") which is the most recent revision of the original Framework, published first in 2012 and updated a number of times, providing the overarching planning framework for England. It sets out the Government's planning policies for England and how they are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. This revised document has replaced the earlier planning policy statements, planning policy guidance and various policy letters and circulars, which are now cancelled.

Central to the NPPF is a presumption in favour of sustainable development which is at the heart of the framework (paragraph 10) and plans and decisions should apply this presumption in favour of sustainable development (paragraph 11). The NPPF confirms that there are three dimensions to sustainable development: economic, social and environmental; each of these aspects are mutually dependent. The most relevant sections are:

Chapter 13 Protecting Green Belt land

Paragraph 154 states that development in the Green Belt is inappropriate unless one of the following exemptions (amongst others) applies

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, 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;

h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds)

Relevant Consultations

Ecology – Following the receipt of additional information, there is no objection to the proposal, subject to a Habitat Management and Monitoring Plan (HMMP), with a fee of £5,000, and a consequential section 106 agreement to monitor the final HMMP for a period of 30 years.

Dunford Parish Council – No objections received

Highways Drainage – No objections received

Pollution Control – No objections received

Ward Councillors – No objections received

Yorkshire Water – No objections received

Representations

The application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015.

Neighbour notification letters were sent to nearby residents; the application was advertised by way of a site notice posted adjacent to the site and advertised on the Council's website; no representations have been received.

Assessment

The main issues for consideration are as follows:

- The principle of development
- The impact on the visual amenity
- The impact on neighbouring residential properties
- The impact on listed buildings
- The impact on the ecology of the site
- The impact on the highway network and highways standards

For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little or no

Principle of development

The site is located within the western rural Green Belt whereby development may be considered acceptable in principle when it is for outdoor recreation or sports purposes. The proposal would fit with this criterion, but it would also need to be assessed as to whether the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. In this case the main alterations are the re-levelling of the site, a new surface and a fence and gates. These are not considered to be alterations that would have a significant impact on the openness of the Green Belt and, given its location between the stables and the existing dwelling would not conflict with the purposes of including land within the Green Belt.

The proposed site has been chosen as it is located adjacent to the existing stable block and paddocks. The site further benefits from being located at a lower level than the road, and when completed, following further excavation works, would not be noticeably visible from Lower Maythorn Lane or other public roads or vantage points.

The location of the proposal is also close to the existing principal access, which is shared with Lower Maythorn Barn, so no additional access point to the arena is required.

Visual amenity

The site and proposed groundwork for the proposal were specifically selected to reduce any potential negative effects on the openness of the area, particularly because it is situated within the Green Belt.

As the proposal would be located between the existing stable block and the residential curtilage of the applicant's dwellinghouse at Lower Maythorn Barn, it provides a continuation of effectively developed land without the need to extend into more open and undeveloped areas of land.

The proposed arena necessitates a level, weather-resistant surface, as the applicants have noted that the current terrain is frequently unsuitable for horse exercise because it becomes waterlogged. Whilst differing in appearance to the surrounding grassland, the rubber and

silica sand arena, enclosed by a traditional style post and rail fence would not appear significantly out of character with the broader agricultural features of the landscape it would reside within.

In common with existing horse arenas in the wider area, the proposal would be visible from the road, in this instance Lower Maythorn Lane, which runs parallel to the site. However, this view is partially screened by an existing drystone wall and further mitigated by the reduced ground level proposed. Following mitigation to restore the natural slope over a 10m period from the southern edge of the arena; from more distant public viewpoints, as mentioned above, the arena would be unlikely to be distinguishable from other features of the agricultural landscape.

The proposed location for the horse arena is deemed suitable for the reasons outlined above, and it would not negatively affect the openness of the Green Belt when viewed from public vantage points. Therefore, this proposal meets the requirements of Local Plan Policy GB1 and is considered appropriate. This carries significant weight in favour of the application.

Residential Amenity

The site is located within a rural area, principally agricultural in nature. The closest residential dwelling would be the applicants' dwelling at Lower Maythorn Barn, approximately 45 metres west of the proposal, with their adjacent neighbors at Lower Maythorn Farm, approximately 65metres away. New Maythorn Farm is located approximately 75m east of the site.

The distance of the proposal to neighbouring dwellings would be considered acceptable, and the proposed use of the arena for personal outdoor recreation is something which would be considered typical within rural communities. As a result, installing the horse arena and related fencing is not expected to negatively affect residential amenities. This proposal is viewed as acceptable and aligns with Local Plan Policy GD1 General Development, which carries significant weight in favour of the application.

Impact on listed Buildings

Approximately 40m to the west of where the proposed horse arena is a Grade II listed building (Barn at Lower Maythorn Farm) Given the most visible works would be the boundary fencing, and there is an existing building between the proposed horse arena and the listed building, then it is not considered that the proposal would have a significant impact on the historical setting of this nearby listed building. Lower Maythorn Farmhouse, further to the west, is also a Grade II listed building but this is further away and therefore the impact is lessened even further. As such the proposal is not considered to be detrimental to the historic setting in line with Local Plan Policy HE1

Biodiversity

Biodiversity Net Gain (BNG) became mandatory for all applications in April 2024, whereby developers must deliver a biodiversity net gain of 10%, resulting in more or better-quality

habitat than before a development except where one of the exemptions (as set out in the Planning Practice Guidance) are met.

Local Plan Policy BIO1 states that development will be expected to conserve and enhance the biodiversity and geodiversity features by protecting and improving habitats; maximising biodiversity opportunities in and around new developments and encouraging provision of biodiversity enhancements. Policy BIO1 follows on to state that development will be expected to conserve and enhance the biodiversity and geological features by protecting ancient and veteran trees.

The Ecologist initially reviewed the application in terms of the impact upon habitats and the documentation submitted and requested that further information was provided. Following the receipt of this additional information, the application and submitted information was reviewed again.

The Small Sites Metric indicated that the proposal would result in a loss of an area modified grassland. However, enhancement of the adjacent grassland to other neutral grassland will achieve a gain of 0.069 habitat units, which represents a 10.6% BNG.

As significant habitat enhancement is being proposed on-site, this will require a HMMP setting out how these habitats will be managed for 30 years. A HMMP has been submitted with the application, which is welcomed, and this will be a condition of the planning permission, if granted. The LPA will seek a monitoring fee to review the monitoring reports which are required by the LPA periodically over the 30-year management and monitoring period. Due to the small size of the proposed habitat enhancement areas, the LPA would seek a monitoring fee of £5000. The fee would be secured as part of a section 106 agreement.

Considering the above, it is considered that the development is acceptable and in compliance with Local Plan Policy BIO1 and the provision of 10% BNG will carry significant weight in favour of the proposal.

Visual amenity

The site and proposed groundwork for the proposal were specifically selected to reduce any potential negative effects on the openness of the area, particularly because it is situated within the Green Belt.

As the proposal would be located between the existing stable block and the residential curtilage of the applicant's dwellinghouse at Lower Maythorn Barn, it provides a continuation of effectively developed land without the need to extend into more open and undeveloped areas of land.

The proposed arena necessitates a level, weather-resistant surface, as the applicants have noted that the current terrain is frequently unsuitable for horse exercise because it becomes waterlogged. Whilst differing in appearance to the surrounding grassland, the rubber and silica sand arena, enclosed by a traditional style post and rail fence would not appear

significantly out of character with the broader agricultural features of the landscape it would reside within.

In common with existing horse arenas in the wider area, the proposal would be visible from the road, in this instance Lower Maythorn Lane, which runs parallel to the site. However, this view is partially screened by an existing drystone wall and further mitigated by the reduced ground level proposed. Following mitigation to restore the natural slope over a 10m period from the southern edge of the arena; from more distant public viewpoints, as mentioned above, the arena would be unlikely to be distinguishable from other features of the agricultural landscape.

The proposed location for the horse arena is deemed suitable for the reasons outlined above, and it would not negatively affect the openness of the Green Belt when viewed from public vantage points. Therefore, this proposal meets the requirements of Local Plan Policy GB1 and is considered appropriate. This carries significant weight in favour of the application.

Highway Safety

The proposed arena would be considered to have little or no impact on highway safety. Access is already provided from Lower Maythorn Lane, which leads to both Lower Maythorn Barn and the site designated for the proposed horse arena. Since the arena will mainly be used by the applicant and their family who live at Lower Maythorn Barn, an increase in vehicles visiting site is not expected. The proposed development however is viewed as acceptable and aligns with Local Plan Policy T4, which moderately supports the application.

PLANNING BALANCE & CONCLUSION

In accordance with Paragraph 11 of the NPPF (2024) the proposal is considered in the context of the presumption in favour of sustainable development. The proposal is considered to be appropriate development in the green belt and is located within a sustainable location and would not impact on the character of the area, highway safety, or upon residential amenity, and this weighs considerably in favour of the application.

All other material planning considerations have been fully explored by the appropriate consultees who have raised no objections to the proposal and holistically this weighs moderately in favour of the application.

The proposal is therefore, on balance, recommended for approval.

Updated Information

The original application was subject to a S106 agreement exclusively regarding the required HMMP for monitoring of the land set aside for BNG purposes. Due to the requirement for a section 106 agreement, the application was originally progressed through planning committee member consultation. As there were no objections to the application during this consultation period, a decision notice could be issued subject to the S106 agreement being created and signed by relevant parties.

During the process of drafting a S106 agreement, the applicant's representative requested if a previously offered alternative to the s106 process, and HMMP could be implemented instead. Following consultation with the legal department and Ecology, the original alternative option for meeting BNG requirement through tree planting was agreed. This annulled the requirement for a HMMP and subsequent S106 agreement, instead just requiring a BEMP.

All aspects of the original proposal for the 'construction of horse arena, including levelling of ground/digging down, surface, and post and rail fence boundary' as detailed in the above report remain unchanged. It is the subsequent method of implantation of the subsequently required increase in Biodiversity Net Gain (BNG) which has been altered.

In contrast to the original BNG metric which would have created a 10.6% BNG increase through the provision of enhanced grassland, and which would have required a S106 agreement. The revised BNG Metric provides BNG Increase of 12.75%. This BNG metric has been approved by Ecology subject to BEMP, as detailed below.

'Thank you for providing updated Biodiversity Net Gain (BNG) information for the above application. An updated Biodiversity Gain Plan (BGP), a baseline habitat plan and small sites metric (SSM) have been submitted. These now set out that tree planting is proposed as an alternative to grassland enhancement previously proposed. The SSM indicates that a gain of 0.041 habitat units (12.75%) can be achieved, meeting the developments BNG requirement.

This planting is not deemed as significant on-site enhancement and therefore there is no longer need for a Habitat Management and Monitoring Plan (HMMP) condition or the requirement for the developer to pay a fee for the review of monitoring reports over the management period set out by a HMMP. We recommend that a Biodiversity Enhancement Management Plan (BEMP) is conditioned to secure the proposed tree planting and its initial management over 5 years. Please refer to suggested condition wording below.

The development will be subject to the biodiversity gain condition, for which a biodiversity gain plan and SSM will be submitted in order to discharge it.'

Following approval from Ecology, a request was then made to the Chair of the planning committee, to request if the decision for the application could be re-delegated to the planning department, as S106 agreement was no longer required. The chair (at the time of the question was asked) agreed and the decision will now be based upon a delegated recommendation of the case officer, which would be subsequently checked and approved by a group leader.

RECOMMENDATION: Approve subject to conditions

The above consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's right to respect for his private and family life, his home and his correspondence.