

Application Reference Number:	2025/0303
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Application Type:	Change of Use
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Proposal Description:	Change of use of land to dog exercise area
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Location:	Land off Mitchell Street, Worsbrough Dale, Barnsley, S70 3QF
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Applicant:	Mrs Barbara Medlam
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Third-party representations:	None	Parish:	None
		Ward:	Worsbrough

Summary:

This planning application seeks a change of use of land to dog exercise area. The land is located in the Green Belt, is separated from the wider field it sits in and has its own access.

The site falls within Green Belt as allocated by the adopted Local Plan. Development comprising a change of use in the Green Belt must be compliant with Local Plan policies GB1 and GB3 as well as section 13 of the NPPF. Additionally, it should not significantly adversely affect residential and visual amenity and highway safety.

The proposal would have no adverse impact on highway safety, residential or visual amenity and is considered acceptable in policy terms regarding change of use in the Green Belt and would not impact on openness. The proposal is therefore considered to be an acceptable and sustainable form of development in accordance with Section 2 of the National Planning Policy Framework (NPPF, 2024).

Recommendation:

Approve subject to conditions

Site Description

The site is located off Mitchell Street and White Cross Lane with the existing access to the field taken off White Cross Lane. This is a secluded location in Worsbrough Dale near the settlement of Swaithe. The field as existing is fenced off from the rest of the fields to the south. To the north is it bounded by the highway and the west is a railway line. There are no dwellings within close proximity of the field. There is an existing access to the site to remain unchanged.

Location Plan

Site Address: Street Record, Mitchell Street, Worsbrough Dale, Barnsley, S70 3QF



Date Produced: 03-Apr-2025

Scale: 1:1250 @A3

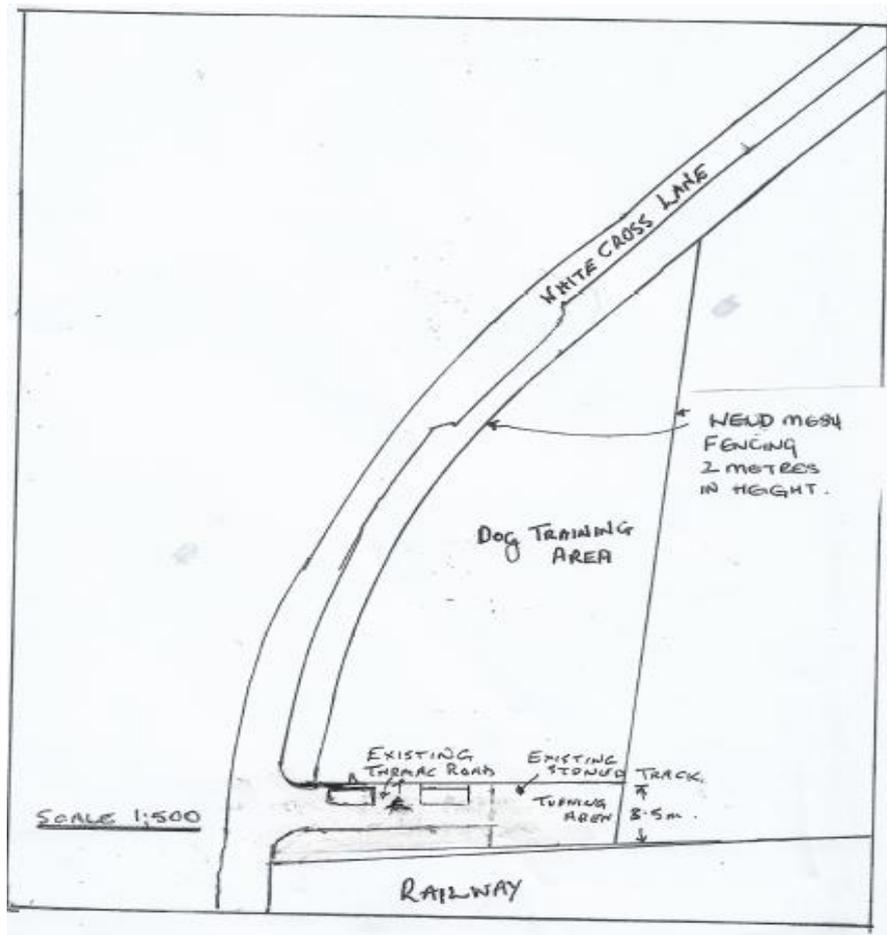


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Proposed Development

The proposed dog walking area measures approximately 25 metres by 33 metres and no physical change to the land will be facilitated. This will remain a grassed area. Two parking spaces are proposed at the existing access. The area will be surrounded by 2-metre-high weld mesh fencing.



Relevant Policies

The Development Plan

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 on 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 Allocation – Green Belt

To the extent that development plan policies are material to an application for planning permission the decision on the application must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004). In reference to this application, the following policies are relevant:

Policy SD1: Presumption in favour of Sustainable Development – States that proposals for development will be approved where there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land. Policy GD1 below will be applied to all development.

Policy GD1: General Development – Development will be approved if there will be no significant adverse effect on the living conditions and residential amenity of existing and future residents. Development will be expected to be compatible with neighbouring land and will not significantly prejudice the current or future use of neighbouring land.

Policy D1: High quality design and place making – Development is expected to be of a high-quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and other features of Barnsley.

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

This is providing that such development is of a high standard of design, has no adverse effect on the amenity of local residents, the visual amenity of the area, or highways safety and preserves the openness of the Green Belt.

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

Policy Poll1: Pollution Control and Protection – Development will be expected to demonstrate that it is not likely to result, directly or indirectly, in an increase in air, surface water and groundwater, noise, smell, dust, vibration, light or other pollution which would unacceptably affect or cause a nuisance to the natural and built environment or to people.

Policy T4: New Development and Transport Safety – 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.

National Planning Policy Framework (NPPF) 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:

- Section 2 - Achieving sustainable development
- Section 4 - Decision making
- Section 12 - Achieving well-designed places
- Section 13 - Protecting Green Belt land

Paragraph 154 states that development in the Green Belt is inappropriate unless one of the following exceptions applies:

- 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), 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;
- c) 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;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
 - i. mineral extraction;
 - ii. engineering operations;
 - iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;
 - v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
 - vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

The National Design Guidance (2019) is a material consideration and sets out ten characteristics of well-designed places based on planning policy expectations. A written ministerial statement states that local planning authorities should take it into account when taking decisions.

Supplementary Planning Documents:

In line with the Town and Country Planning (Local Planning) (England) Regulations 2012, Barnsley has adopted twenty eight Supplementary Planning Documents (SPDs) following the adoption of the Local Plan in January 2019. The most pertinent SPD's in this case are:

- Parking

The adopted SPDs should be treated as material considerations in decision making and are afforded full weight.

Consultations

The LPA's Biodiversity Officer was consulted and raised no objections.

Highways Development Control (DC) were consulted and raised no objections.

The Mining Remediation Authority were consulted and raised no objections subject to an informative.

Pollution Control were consulted and raised no objections subject to conditions.

The South Yorkshire Mining Advisory Service (SYMAS) were consulted and raised no objections.

Worsbrough Ward Councillors were consulted and raised no objections.

Representations

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

There are no neighbours within close proximity to the site therefore neighbour notification letters were not sent to surrounding properties, however a site notice was erected at the site, no comments were received.

Assessment

The main issues for consideration are as follows:

- The acceptability of the change of use in the Green Belt
- The impact on the character of the area
- The impact on residential amenity
- The impact on highway safety
- The impact on biodiversity

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 in the Green Belt

Land for the use of animals such as the ones proposed are a feature of the countryside although more typically associated with horses. The change in the use of land within the Green Belt for the training of dogs is accepted by the NPPF as being an acceptable use of development within the Green Belt. This is because in this circumstance it preserves the openness of the Green Belt and can be found to fall within paragraph 154, section H, clause v.

This states material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) are acceptable. This weighs significantly in favour of the proposal. In addition, development will only be granted where the development would maintain residential and visual amenity and not create highway safety or traffic problems.

Visual Amenity and Impact upon Green Belt

There will be no significantly harmful impact to visual amenity from the proposed change of use. In terms of visual impact, the walking area will remain a grass field as existing with no work to the existing levels. The area measures approximately 25 metres by 33 metres which is akin to the standard size of a horse menage without the change in surface materials. This weighs moderately in favour of the proposal.

Given the discreet location of the site and there being no significant physical changes caused by the proposal it would not cause detriment to the openness or visual amenity of the Green Belt. The access surfacing is already present, and this area is not to be extended significantly. The proposal is considered acceptable in terms of Local Plan policy GB1.

Residential Amenity

Animal uses and activity is often found in the Green Belt and the proposal would not have a significant impact upon the nearby properties which are located approximately 140 meters away.

Additionally, the fields to the south of the site are also in the applicants ownership. Pollution Control has no objections to the proposal. This weighs significantly in favour of the proposal.

Highways Safety

There will be no impact upon highway safety. No objections were raised to the application from a highways point of view. The site access off White Cross Lane is tarmac surfaced for a distance of 20 metres from the public highway. There is a gate across the access which is set back 6 metres from the edge of the carriageway. There is no footway along the site frontage and visibility is substandard due to the access being positioned on the inside radius of a bend in the road. Notwithstanding this, the proposed use of the site as a dog training area would result in minimal vehicular movements, as such, it is not considered to be an intensification of use of the site.

The additional information, along with the more detailed layout plan shows that the site, as it currently exists, provides adequate access, parking and turning facilities for the proposed use. It is therefore considered that the proposals wont adversely impact upon the highway and are acceptable from a highway's perspective. This weighs significantly in favour of the proposal.

Impact upon Biodiversity

As the application is for the change of use for a dog walking field and there will be no built development impacting the biodiversity value of the site, the only addition is weld mesh fencing and an area of grasscrete for parking. Given the proposals it is considered highly unlikely there will be any negative impacts to the biodiversity value of this site. This weighs modestly in favour of the proposal.

Planning Balance and Conclusion

For the reasons given above, and taking all other matters into consideration, the proposal complies with the relevant plan policies and planning permission should be granted subject to necessary conditions. Under the provisions of the NPPF, the application is considered to be a sustainable form of development and is therefore recommended for approval.

Recommendation

Approve subject to conditions

Justification

STATEMENT OF COMPLIANCE WITH ARTICLE 35 OF THE TOWN AND COUNTRY DEVELOPMENT MANAGEMENT PROCEDURE ORDER 2015

In dealing with the application, the Local Planning Authority has worked with the applicant to find solutions to the following issues that arose whilst dealing with the planning application:

- Amendment and clarification of proposed parking.

Due regard has been given to Article 8 and Protocol 1 of Article 1 of the European Convention for Human Rights Act 1998 when considering objections, the determination of the application and the resulting recommendation. It is considered that the recommendation will not interfere with the applicant's and/or any objector's right to respect for his private and family life, his home and his correspondence.