

# **Planning Statement**

**Application for Storage Barn and extension to track ancillary to the commercial equestrian use of the site at Cat Hill Livery, Cawthorne View, Firs Lane, Cat Hill, Hoylandswaine S36 7JG**

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## **1.0 Introduction**

- 1.1 A planning application is being submitted for a barn for storage, and extension to track, ancillary to the existing commercial equestrian use, 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 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.
- 2.3 A barn constructed in September 2015 was approved under a retrospective application 2018/1420.
- 2.4 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.

- 2.5 The equestrian business provides full livery and rehabilitation services for clients' horses.
- 2.6 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.
- 2.7 An application for a barn/turnout pen, under reference 2020/0687, was approved in September 2020.
- 2.8 An application for a barn, in which the equine water treadmill and associated facilities could be accommodated, was approved under reference 2021/0709 in July 2021.
- 2.9 Planning History:

**2021/0709** Erection of barn for equine water treadmill and facilities - Approved

**2020/0689** Erection of barn/turnout pen for use ancillary to the commercial equestrian livery and rehabilitation - Approved

**2019/0250** Siting of log cabin as a temporary rural enterprise dwelling for three years to support an existing business - Approved

**2018/1420** Retrospective application for open-fronted barn - Approved

**2018/0949** Certificate of Lawfulness for use of the site for livery - Granted

**2018/0638** Temporary rural enterprise dwelling in the form of a log cabin - Withdrawn

### **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.
- Barn with equine water treadmill 60ft (18.28m) x 26ft (7.92m), 10ft (3.04m) to the eaves with a mono pitch roof to 12ft (3.6m) overall height.

#### **4.0 The Proposal**

- 4.1 An application is being submitted for a barn, with short extension to the track, which will be used for storage ancillary to commercial livery and rehabilitation use of the site.
- 4.2 The barn will measure 18.28m x 7.92m, 3.6m to the eaves and 4.6m to the ridge. 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 green profile sheeting and green profile sheeting roof. The construction/materials will be the same as the approved barn/turnout and the barn accommodating the equine water treadmill.
- 4.3 The barn will be fully enclosed on three sides but with the gable end open. The fully open gable end will enable easy access by machinery, tractors etc.
- 4.4 The barn is positioned to the north-west of the main equestrian yard, within view of the residential accommodation. This provides ease of access from the existing track as well as good visibility.
- 4.5 This piece of land is underutilised as it is not suitable for grazing of horses or livestock.
- 4.6 The position is well-screened from the road by tall mature hedging and trees. The ground is slightly higher to the south resulting in the barn sitting 1m below the ground level on the south-west side.
- 4.7 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) 2021
- 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:***

***84. 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; (my definition)***

***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***

***d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.***

***85. 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 The full-time position has already been created, which 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***

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

*148. 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.*

*149. 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;*

- 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 for storage of equipment and machinery 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 Although the barn needs to be positioned at a slight distance from the equestrian yard, it will retain 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 149 (b))

## **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 clients' horses, both for full livery and rehabilitation.
- 6.2 In the last three years, the business has developed its rehabilitation services with the provision of an equine water treadmill, which has increased revenue and profitability to become a very successful rural enterprise.
- 6.3 All of the existing barns are utilised for stabling of the horses or for facilities forming part of their rehabilitation treatment, as detailed in previous planning applications. One barn is used for the storage of hay and bedding.
- 6.4 This results in machinery and equipment, used for the management of the land, having to be stored outside, where it is not protected from the weather. This puts the equipment at risk of theft, and although the applicant lives on site, this is not always sufficient to discourage opportunist thieves.
- 6.5 In addition, during the day the horses are walked from their stables to the turnout barn and the water treadmill for rehabilitation. Currently, any equipment, tractors etc has to be stored on the yard, which means that vehicles are frequently moving across the yard, between the stables and treatment areas.
- 6.6 This can be dangerous for horses and their handlers, particularly as many of the horses are highly strung.

- 6.7 Some of the items can be hazardous if a horse gets loose on the yard.
- 6.8 Horses that are recovering from illness or injury need to be kept in a calm and quiet environment, which this constant movement outside, so close to the stabling, does not allow.
- 6.9 Accordingly, the siting of the proposed barn is slightly away from the yard, and closer to the access. This will enable all of the equipment to be accessed without entering the yard area, and so reduce vehicle movements in close proximity to the horses.
- 6.10 The barn will also increase the capacity for storage of hay/bedding, which will reduce the number of vehicle movements to the site. These deliveries will have ease of access and will not need to enter the yard.
- 6.11. The barn will enable valuable machinery and equipment to be securely stored undercover and will remain visible from the accommodation.

## **7.0 Conclusion**

- 7.1 The use of the proposed barn will be 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.