

Riddle Pit Farm  
Penistone Road  
Hepworth  
Holmfirth  
HD9 2TR

Planning, Design and Access Statement  
Erection of boarding kennels and change of use of part of barn  
to dog hydrotherapy centre

Prepared on behalf of:

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## **1.0 Introduction**

- 1.1 This is a statement submitted in support of a planning application for erection of boarding kennels and the change of use of an outbuilding to use as a hydrotherapy centre for dogs.
- 1.2 The site and surrounding area have been visited and this statement takes into account the site characteristics, surrounding land uses and characteristics, central government guidance, local planning policy and other material considerations.

## **2.0 Proposal**

- 2.1 The proposal will provide a much needed local facility for high quality kennels which exceed the standards set down in the Model Licence Conditions and Guidance for Dog Boarding Establishments (Animal Boarding Establishments Act 1963) issued by the Chartered Institute of Environmental Health. The quality of the kennels proposed is in short supply and currently demand far outstrips supply. There are no kennels in Barnsley Borough which meet this standard. The site is located in an ideal position to provide a good environment for boarding dogs and to avoid the creation of nuisance which can result from kennels located in more urban situations.
- 2.2 The new building will provide 50 kennels, all with their own heated indoor area and exterior pen, a staff room, toilets and reception area. The hydrotherapy centre proposed will be housed in part of an existing barn. No external alterations to the building will be required. Clients for the hydrotherapy pool centre will be referred by local vets. Again there is a shortfall in hydrotherapy facilities provided in Barnsley and nearby Kirklees and it is considered that both the kennels and the pool would be an asset to the borough, promoting local rural employment, in accordance with PPS7 and would also support pet ownership and its associated health benefits. The Canine Hydrotherapy Association lists the three nearest centres as Tingley in Leeds, Thorne in Doncaster and Handsworth in Sheffield.
- 2.3 Whilst the site is within green belt, there is a weight of case law which accepts that kennels may be sited in such areas, given that they are not generally suitable for location in urban areas. The site is set away from other properties and the road and is screened by the existing barn. These factors minimise any potential disruption to resident dogs and therefore would minimise their propensity for barking.

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- 2.4 The kennels will be open 9am-12.00 noon and 4pm to 6pm Monday to Saturday and 10.00-12.00 noon on Sundays and Bank Holidays. The hydrotherapy pool would be open between 9.00am to 9pm Monday to Saturday and 10am to 4pm on Sundays, and closed on Bank Holidays and would operate a 30 minute appointment system. Dogs staying in the kennels will need up to date inoculations and all boarding dogs will be pre-booked with a dropping off time slot.
- 2.5 The kennels have been designed taking into account BMBC Planning and Environmental Services advice and will be built into the hillside to minimise the impact on the openness of the countryside and also of noise. Internally, the building will be constructed in UPVC panels for ease of cleaning with a plastisol profiled metal sheeting roof with profiled translucent sheeting. The roof colour is to be olive green in accordance with BMBC officer advice. The ends of the building will be rendered and natural stone coloured. The building will be agricultural in appearance and would not look out of place at a small holding such as Riddle Pit Farm. It will also be screened by existing agricultural buildings which it will be sited adjacent to. However, it is proposed to excavate the hillside so that it can be built at the same level as the existing buildings. The excavated earth will be used to build a mound around the building which will further screen it from view. There will therefore be no significant impact on the openness of the green belt.
- 2.6 It is understood that the use is not identified specifically as appropriate development in PPG2 or in the development plan; however both documents make provision for other uses which do not conflict with the purpose of the green belt and preserve the openness of the land. In an appeal decision (Ref: T/APP/B1225/c/99/1026422) for a mixed use comprising training and kennelling of dogs and residential use, the Inspector stated in his decision letter:
- “...by their nature, dogs are sociable creatures and noisy when disturbed and it is for that reason that they cannot be easily accommodated in residential areas. As a result, boarding and training kennels are usually located at the edge of settlements or ideally within the countryside where their potential impact on residential amenities is minimised.”
- 2.7 The kennels and pool will enhance the small holding. The land is poor *quality upland grazing, parts of which for much of the year is waterlogged*. The potential agricultural output from the small holding is therefore limited and would not be sustainable without an additional income. The income from the kennels will assist in the sympathetic up

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keep of the small holding and its land and boundaries, thereby protecting the character of the area and the environment.

### **3.0 Assessment of the site's immediate and wider context**

3.1 In accordance with the requirements of Section 42 of the Planning and Compulsory Purchase Act 2004, the context of the proposed development is appraised below.

#### **3.2 Physical context**

The house is separated from its nearest neighbour; the Fox House Pub and Restaurant to the north by a number of fields and is approximately 250 metres away. To the north-west is the Lawn Turf Centre located at Deer Cottage. Stretching to the east is the large scale Hepworth Works and to the south agricultural land.

3.3 The farm house, outbuildings and surrounding 11 acres are registered as a small holding. They comprise a house and associated outbuildings and fields to all sides. The land to the east and south of the house is relatively flat, to the north it slopes upwards towards to the Fox House Public House and to the west behind the existing outbuildings.

3.4 The site is not known to be affected by any form of contamination, it having been used previously for pasture land. The site is not identified by the Environment Agency as being at risk from flooding. The outbuilding which is to be converted to a hydrotherapy centre is of modern construction and does not afford any opportunity for access by bats or birds and there is no evidence of use of the building for nesting or roosting.

3.5 Photographs of the site are provided below.



Site of the proposed kennel block; to be built into the bank.





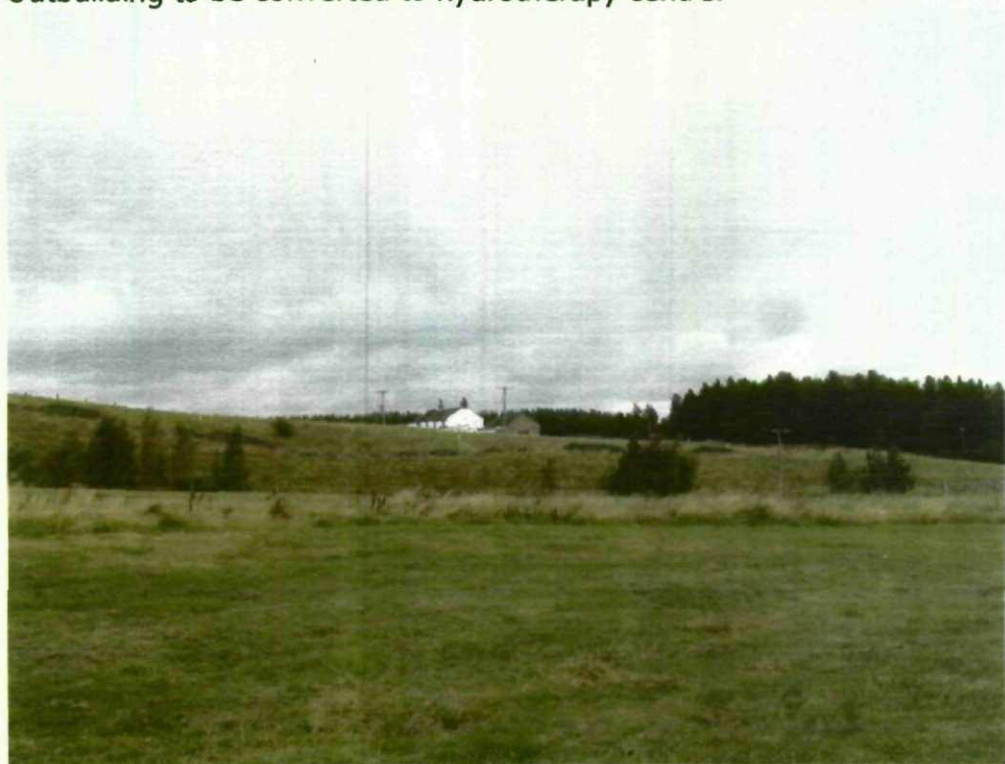
Rear of outbuilding and site of proposed kennel block.



Rear of outbuilding and site of proposed kennel block.



Outbuilding to be converted to hydrotherapy centre.



Fox House Pub and Restaurant viewed from the site.



The farm viewed from the south



Viewed from the east



Viewed from the north





View from Law Common Road



Hepworths

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### 3.6 Access audit

Riddle Pit Farm is located on Penistone Road / Flint Lane, on the B6106 between Holmfirth and Millhouse Green which is on the number 20 bus route; a regular service serving the nearby Hepworth site. The property is located approximately 3 miles from Holmfirth and 4 miles from Thurlstone. Access is via a tarmac drive from Penistone Road. There is ample room for parking of vehicles associated with the house and also for a parking area for staff and customers to be created.

### 3.7 Social implications

The nearest neighbours are located at the Fox House Public House and Fox House Farm. Transference of sound has been considered in the Noise Consultancy Report which is submitted with this application. The report concludes that the layout and orientation of the kennels proposed is such that noise breakout is minimised. The kennels will be set into the hillside, thereby maximising natural sound attenuation. A bund will also be created around the kennels which will screen the kennels from view and will provide additional sound attenuation. The existing barn will provide screening to the front of the kennels. The report concludes that the specific noise from the kennels will not exceed background noise and therefore there are unlikely to be any complaints and that the development is appropriate.

3.8 The provision of an adequate supply of good quality kennels, where dogs would be well cared for, would support residents of the Borough to own a pet. This would in turn help to achieve one of the Barnsley Community Strategy objectives to increase the percentage of residents who say their health is good or fairly good. It is well established by health professionals that pet ownership has a number of health benefits, including:

- **Pets Can Improve Mood:** Research supports the mood-enhancing benefits of pets, helping to cut rates of depression in pet owners.
- **Pets Control Blood Pressure Better Than Drugs:** While ACE inhibiting drugs can generally reduce blood pressure, they are not as effective on controlling spikes in blood pressure due to stress and tension as pet ownership.
- **Pets Encourage Exercise:** Dog owners in general walk more than non dog owners.
- **Pets Can Help With Social Support:** Dog walking provides an opportunity to increase individual's network of friends and acquaintances.
- **Pets Stave Off Loneliness and Provide Unconditional Love:** Pet ownership can reduce the amount of stress people experience in

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response to feelings of social isolation and lack of social support from people.

- **Pets Can Reduce Stress—Sometimes More Than People:** While recent research shows that spending time with a pet may be more beneficial than people. When conducting a stressful task people experience less stress when their pets were with them than when a supportive friend or even their spouse was present.

3.9 At present demand for this quality of kennel and for hydrotherapy pools far outstrips supply both in Barnsley and Kirklees and provision would fulfill an important social need.

### **3.10 Economic**

The building, associated infrastructure and pool will provide business for local companies during their construction. The new boarding kennels and hydrotherapy business will provide employment for 2 full time and 3 part time employees. Given the rapidly rising unemployment rate in the Barnsley West and Penistone constituency (114.6% increase between May 2008 and May 2009)<sup>1</sup> the employment provided will be welcome.

## **4.0 Relevant planning policies**

### **National Planning Policy and Reports**

#### **4.1 PPS1 Delivering Sustainable Development**

The PPS sets out the Government's policies for the planning system. The following extracts are relevant:

- address accessibility (both in terms of location and physical access) for all members of the community to jobs, health, housing, education, shops, leisure and community facilities;
- support the promotion of health and well being by making provision for physical activity.

(ii) Promote urban and rural regeneration to improve the well being of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities. Policies should promote mixed use developments for locations that allow the creation of linkages between different uses and can thereby create more vibrant places.

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<sup>1</sup> House of Commons Library Unemployment by Constituency May 2009. Research Paper 09/57  
17<sup>th</sup> June 2009

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(iii) Ensure that suitable locations are available for industrial, commercial, retail, public sector (e.g. health and education) tourism and leisure developments, so that the economy can prosper;

(v) Provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car, while recognising that this may be more difficult in rural areas.

#### **4.2 PPS7: Sustainable Development in Rural Areas**

The following extracts are relevant:

"local planning authorities should be aware of the circumstances, needs and priorities of the rural communities and businesses in their area, and of the interdependence between urban and rural areas.

#### **Countryside protection and development in the countryside**

**15.** Planning policies should provide a positive framework for facilitating sustainable development that supports traditional land-based activities and makes the most of new leisure and recreational opportunities that require a countryside location. Planning authorities should continue to ensure that the quality and character of the wider countryside is protected and, where possible, enhanced.

**16.** When preparing policies for LDDs and determining planning applications for development in the countryside, local planning authorities should:

**(ii)** support other countryside-based enterprises and activities which contribute to rural economies, and/or promote recreation in and the enjoyment of the countryside;

**(iii)** take account of the need to protect natural resources;

**(iv)** provide for the sensitive exploitation of renewable energy sources in accordance with the policies set out in PPS22; and

#### ***Farm diversification***<sup>3</sup>

**30.** Recognising that diversification into non-agricultural activities is vital to the continuing viability of many farm enterprises, local planning authorities should:

**(iii)** where relevant, give favourable consideration to proposals for diversification in Green Belts where the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. (Where farm diversification proposals in the Green

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Belt would result in inappropriate development in terms of PPG2, any wider benefits of the diversification may contribute to the 'very special circumstances' required by PPG2 for a development to be granted planning permission).

#### **4.3 Draft PPS4: Planning for Prosperous Economies**

This draft PPS places great emphasis on the role the planning system has to play in supporting both urban and rural economies. It states:

"Economic growth in both urban and rural areas generates wealth and raises living standards

Rural areas also have an important contribution to make to the regional and national economy. Evidence<sup>2</sup> shows that rather than being the poor relation to urban areas in terms of productivity, rural areas are in fact major contributors to the national economy on a par with all urban areas outside of London. The evidence also shows clearly that there is no such thing as a separate 'rural economy' – the economies in rural and urban areas are similar, in terms of the mix of businesses and employment and are closely inter-related. Proper planning for economic development of an appropriate scale in rural areas can ensure that communities can prosper and thrive whilst ensuring continued protection for the countryside. Subject to the need to ensure robust protection of the countryside, in principle, all types of business and enterprise can be appropriate for rural areas."

It advises that local authorities should:

- set out the criteria to be applied to planning applications for farm diversification, and support diversification for business purposes that are consistent in their scale and environmental impact with their rural location
- support the conversion and re-use of appropriately located and suitably constructed existing buildings in the countryside, for economic development, including hotel and other serviced accommodation, community, residential and any other purposes, including mixed uses, where this would meet sustainable development objectives. In considering planning applications for the re-use or replacement of buildings, local planning authorities should take into account:

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<sup>2</sup> The Government's response to the Rural Advocate. <http://defraweb/rural/pdfs/voice/rural-advocate-response.pdf>

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1. the potential impact on the countryside and landscapes and wildlife
  2. specific local economic and social needs and opportunities
  3. settlement patterns and accessibility to service centres, markets and housing
  4. that re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations and for some types of building
  5. the need to preserve, or the desirability of preserving, buildings of historic or architectural importance or interest and
  6. the suitability of different types of buildings, and of different scales, for re-use recognising that replacement of buildings should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion

It notes the Taylor Review of Rural Economy and Affordable Housing *Living Working Countryside*, which reported in summer 2008. This recommended that the planning system promote a more positive approach to rural economic development which recognises that all types of business and enterprise can be appropriate for rural areas, subject to assessment of their impact based upon local circumstances and conditions.

#### **4.4 The Taylor Review: Living Working Countryside**

The summary of the report states:

"Planning must not determine the future development of rural communities against a narrow tick-box approach to sustainable development, assessing communities as they are now and not what they could be. In too many places this approach writes off rural communities in a 'sustainability trap' where development can only occur in places already considered to be in narrow terms 'sustainable'. The question planners must address is "how will development add to or diminish the sustainability of this community?" taking a better balance of social, economic, and environmental factors together to form a long term vision for all scales of communities. A mixture of housing and employment opportunities is essential for the sustainability of rural communities."

The report advises that:

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- A strong economy can help tackle social disadvantage and social exclusion in rural areas and support the social and financial well-being of rural residents
  - Strong rural economies offer those living in rural areas better opportunities for work in their local community.
  - The valued character of the countryside has been shaped by centuries of economic activity. Strong rural economies are essential to the maintenance of attractive and diverse landscapes and natural environments- contributing to the environmental stewardship of the countryside.
  - Rural economies are not just about farming but are characterised by high levels of small and micro businesses, self employment and home working. In order for the rural element of the national economy to function successfully, it requires opportunities for business growth.

Barriers created by planning policy need to be overcome to enable:

- All business in all rural areas to be promoted, subject to local impacts
- A flexible approach to the conversion of farm buildings and farm diversification
- Small and home based businesses to be better supported.

## **Regional Planning Policy**

### **4.5 Yorkshire and Humber Plan: Regional Spatial Strategy to 2026**

The following RSS policies are relevant:

#### **Policy E1: Creating a Successful and Competitive Regional Economy.**

In order to create a more successful and competitive regional economy, plans, strategies, investment decisions and programmes should help to deliver:

L A wide range of initiatives to ensure more diverse, competitive and successful economies in rural areas.

#### **Policy E7: Rural Economy**

Plans, strategies, investment decisions and programmes should help diversify and strengthen the rural economy by facilitating the development of rural industries, businesses and enterprises in a way that:

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4. Supports rural diversification schemes which bring economic, social and environmental benefits.
  5. Gives priority to the re-use of existing buildings
  6. Supports and protects an attractive and high quality rural environment

**Policy SY1: South Yorkshire sub area policy**

Plans, strategies, investment decisions and programmes for the South Yorkshire sub area should:

5. Manage development in rural areas, particularly in the western area adjoining the Peak District National Park and in the Pennine Fringe, to reflect environmental quality... and encourage small scale commercial activity to diversify local economies.

**Local Planning Policy**

**4.6 Development Plan Policies**

The development plan for the area comprises Barnsley Unitary Development Plan which was adopted in 2000.

- 4.7 The site lies within the green belt and in an area of special landscape value. As such policies the following policies apply:

Policy GS8

Within the green belt, the construction of new buildings will not be permitted, except in very special circumstances, unless it is for the following purposes:

- A) agriculture or forestry
- B) essential facilities for outdoor sport or outdoor recreation, for cemeteries, or other uses of land which preserve the openness of the green belt and which do no conflict with the purposes of including land in it
- C) the replacement of existing dwellings in compliance with policy GS8E.

Policy GS8A

In the green belt, the change of use of land and/or extension of an existing building will be permitted provided that:

- a) the buildings as altered or extended or used, in accordance with the development permitted, will not have a materially greater impact than the present use on the openness of the green belt and the purpose of including land in it

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- b) the buildings as altered and extended or used in accordance with the development permitted, will not adversely affect the amenity of local residents or the appearance of the locality, nor lead to traffic or safety problems
  - c) any building proposed for conversion is structurally sound and capable of conversion without the need for substantial alterations
  - d) the development will not result in the loss of an essential component of an agricultural holding and is compatible with the viability of continuing agricultural activity
  - e) any proposed alteration or extension is architecturally consistent with the existing building and respects its height, shape, mass and plan form, the existing external materials, and its overall setting
  - f) the site curtilage must be limited to an area reasonable to fulfil the functions of the proposed use and will not in its appearance or use adversely affect the amenity of local residents or the appearance of the locality
  - h) there is no conflict with the other policies of the plan

Policy GS9

Development within the green belt or conspicuous from it, should not by reason of its siting, materials or design result in significant harm to the visual amenity of the green belt.

Policy GS13

In areas designated as being of borough landscape value on the proposals map conservation and enhancement of the landscape will be extremely important considerations. Subject to policy GS8, development will only be allowed if:

- a) there is no loss of valuable landscape features
- b) the nature, form and design of the development is sympathetic to the area
- c) the overall character and appearance of the area is conserved and wherever possible enhanced.

## **5.0 Planning history**

5.1 There is no relevant planning history.

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## **6.0 Involvement of community members and professionals, undertaken/planned**

6.1 A pre-application submission was made in April 2008. This was followed by a meeting on site with council officers: Bob Merryweather (Planning and Transportation) and Sarah Newman (Environmental Services) on 16<sup>th</sup> May 2008. There have been no material changes in circumstances since that time to warrant a change to the advice given. The feedback provided was that the proposals would be supported in principle and as described, given that kennels are best located in more remote areas. The following components were requested to be included in any submission:

- the roof of the kennels be coloured olive green
- sections to be provided showing the existing and proposed land levels around the kennels
- details of any additional earth spreading required from the excavation of the kennels

6.2 The residents of the neighbouring properties have been made aware of the proposals and raise no objections to them.

## **7.0 Evaluation of the context**

### **7.1 Identification of opportunities**

The following opportunities have been identified:

- provision of rural employment which is in accord with existing and emerging national and regional planning policy in an area where unemployment has risen by over 110% in the last year
- high quality kennels and hydrotherapy centres are in short supply both in Barnsley and Kirklees. Such facilities would support pet ownership and its important health benefits, in close proximity to the populations of Holmfirth and Thurlstone/Penistone
- re-use of an existing building
- creation of an activity which will enable the remainder of the small holding to be managed in a way which will promote enhanced environmental conditions
- provision of kennelling in an area where there will be no significant impact on the nearest neighbouring properties
- ability to provide a building, agricultural in appearance, which would not be out of character in its small holding setting
- siting adjacent the existing group of buildings which will provide screening and reduce visual impact

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- ability to build into the hillside and create an earth bund around the building to further reduce visual impact and also provide noise attenuation
  - the existing access is adequate to serve the proposed use, thereby minimising the impact of the proposed development
  - use of grey water recycling and use of renewable energy
  - use of colour to minimise impact

## 7.2 Identification of constraints

The following constraint has been identified:

- Location in the green belt

## 7.3 Formulating design and access principles for the development:

Given the opportunities and constraints identified above, the following design principles have been identified:

### Design Principles

**Use:** the use of the site for kennels and hydrotherapy centre is considered appropriate, providing for rural economic diversification and employment. Demand currently outstrips supply for both services. The separation of the property from others but its close proximity to the communities it will serve make the location for this use ideal.

**Amount and scale:** the amount proposed takes into account the need for the service, the minimum size required to make the business sustainable and the physical characteristics of the site. The scale of the building will be such that it will not appear out of place in its agricultural setting.

**Layout and access:** the building is to be located so that it is set away from the road and will be screened by existing buildings and an earth bund. Access is to be from the existing access to the small holding, which is adequate to serve the proposed use.

**Landscaping:** an earth bund, which will be sown with seed to mirror existing grasses and plants in the surrounding fields, will reduce the visual impact of the proposals.

**Appearance:** the building is to be constructed in materials appropriate to the area, not appearing out of place in the agricultural context. The roof is to be coloured in accordance with Planning Officer advice.

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## 8.0 Design of the scheme and conclusions

- 8.1 The scheme has been designed to take into account the context, evaluation and design principles established for the site. It is considered that the site is in an ideal location for the proposed use. It promotes rural economic diversification, is located so that it is sufficiently distant from its immediate neighbours but close to the communities it will serve. This is in accord with appeal advice that kennelling for dogs is inherently incompatible with residential areas due to the likelihood of noise disturbance. Buildings used for kennelling are best located away from residential properties, which in Barnsley will most likely mean in the Green Belt.
- 8.2 The building has been designed and located to minimise its impact on the green belt and this was recognised by the authority at pre-application stage. The building will be set into the hillside and screened from view by an earth bund. It will be located adjacent the existing buildings forming the small holding and will be screened from the road to a large extent by these buildings. The proposed kennels due to their design, scale and materials will not look out of place in their agricultural setting. The proposed olive green roof colour is provided to meet BMBC requirements.
- 8.3 The number of kennels proposed reflects the need in the local area and also represents a level of accommodation which is economically sustainable to run. The proposals will provide much needed local employment.
- 8.4 The existing access to the small holding will be more than adequate to accommodate vehicle movements which will be staggered by the proposed appointment system for both use of the pool and the dropping off and collection of dogs.
- 8.5 Landscaping proposed is in the form of an earth bund, which will provide additional noise attenuation. The bund removes the need for any hard engineering solutions to retain the excavated earth and will be planted with native species to reflect the surrounding grassland.
- 8.6 The statement clearly demonstrates the four steps required by Section 42 of the Act in that:
- The context of the site has been considered and documented, and includes an accessibility audit, together with references to relevant planning policies.

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- Consultation has been undertaken and considered as part of the design
  - Design principles have been drawn up taking into account context and consultation
  - The design of the proposals has been justified in terms of the use, amount, layout, scale, landscaping, appearance and access arrangements.

8.7 The scheme has been designed which responds to the constraints and opportunities identified in the statement. It is acknowledged that the site is in the green belt, but it is considered that the very special circumstances exist to justify the grant of planning permission in this case, namely:

- The building will not significantly impact on the openness of the green belt, due to its design, siting and landscaping
- The scheme supports the diversification of activity at the small holding which will provide much needed local employment and will support the husbandry of the remainder of the small holding to maintain and improve current environmental standards. Support for rural business and the rural economy is increasingly being recognised, not only through existing planning policy at national and regional level but also in emerging policy and practice as set out in the draft PPS4 and the Taylor Review. PPS7 acknowledges that economic benefits of proposals can amount to the very special circumstances required for the grant of planning permission
- Kennels are acknowledged at appeal as noise generating uses which are inappropriate in residential areas. In order for kennels to be remote from such uses in Barnsley Borough, it would be difficult to find an appropriately located site which was not in the green belt.
- The site is ideally located in that it is suitably distant from its nearest neighbours but close to the communities it will serve.
- There is a chronic shortage of kennels and hydrotherapy centres of the proposed standard in the local area and none of this standard in the Barnsley Borough. The nearest hydrotherapy centres are in Tingley, Thorne and Handsworth. The proposals will support pet ownership in the borough which has acknowledged health benefits and therefore will help to meet one of the objectives of Barnsley's Community Strategy.

8.8 In conclusion, it is considered that the proposal meets the requirements of national, regional and local planning policy and that the Council should be supportive of the scheme and grant planning permission.