



DESIGN AND ACCESS STATEMENT (incorporating a Heritage Statement)

Development of a ménage

at

**The Barn
2 Woodroyd Hill Lane
Victoria
Hepworth
HD9 7TY**

1. Background

- 1.1. Rose Consulting has been engaged by Charles Cooper to submit a planning application to construct a ménage for private use. This report examines the proposal, then addresses the policies which are relevant to the assessment of the planning application.
- 1.2. The property extends to 6.5 acres of land, used for the grazing of horses not including the garden and house.. Planning permission for stables was granted in 2008.
- 1.3. The applicants have been actively involved in equine activities for personal recreation for more than 20 years.
- 1.4. The applicants are grateful for the feedback from the pre application enquiry (Ref 2018/20398). It was advised that the benefit of establishing a small rural business with a covered arena did not outweigh the adverse impact on the openness of the Green Belt.
- 1.5. The applicants own 4 horses and need an area for safe exercise all year round. All local facilities are private.. Grazing horses has largely replaced agriculture in this part of the Pennines.
- 1.6. Wind is a particular problem on such an exposed site. In order to make the area as unobtrusive as possible and to maximise the weather protection from existing buildings, it is proposed that the ménage be located behind the existing stables. This area is flat, currently used for the chickens and rubbish. There will be minimum disturbing of the land and the ménage will be screened from the road and adjacent buildings by the existing stable block and by virtue of being at a lower level than the three houses . The boundary of the 20m x 40m ménage will be constructed from timber post and rail virtually identical to the existing fencing .
- 1.7. The surface will be constructed as per industry best practice and relevant national guidance with layers of material to act as a filtration system, allowing rain water to slowly disperse through, safely allowing the water to be released back in to the ground naturally.



- 1.8. Access to the site for construction would be across the field following which it would revert to previous practice (agricultural only). This access has existed for farm vehicles since before 1935.
- 1.9. It is not possible to bring a vehicle with a horse box between this property and No 1, as will be evident from a site visit.
- 1.10. As a result of recent drainage problems, it will be necessary to repair the drainage system for the surface water collected from all three houses at the site and also for the treatment works for all three houses. The contractor has confirmed that his vehicles cannot use the access between the applicants house and No 1 and the alternative access will be required both in the short term to make these drainage repairs and in the long term to service the treatment works.

2. Planning Policy

- 2.1. The proposal will be considered against policies within:
 - a. National Planning Policy Framework (NPPF February 2019)
 - b. Kirklees Local Plan (adopted 27th February 2019)
- 2.2. The NPPF is currently the most up-to-date policy document available.
- 2.3. The site is shown on the current Kirklees Local Plan, as being within the Green Belt and in an area of High Landscape Value (HLV).
- 2.4. In 144 of the NPPF, it states: *'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'*.
- 2.5. An exception to presumption against development (145) is: *b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, ...as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'*.
- 2.6. In addition, paragraph 146 of the NPPF states: *'Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are: ; b) engineering operations'*.



- 2.7. Firstly, the use of land for grazing horses, although not for agriculture, is an acceptable use of land in the Green Belt. The proposal is to facilitate horse riding, an outdoor recreational activity. It is linked with the use of the land to graze and ride horses hence it is an 'appropriate facility' to qualify as an exception to normal Green Belt policy (145 b).
- 2.8. Secondly, the engineering operation needed to create the facility is also not classified as 'inappropriate' development.(146 b)
- 2.9. Finally, the test is whether or not the development affects the openness of the Green Belt. Here it is argued that the construction only affects the appearance of the ground, rather than any structures which would impact on openness. In terms of the visual impact, the location behind existing buildings, set down slightly below the surrounding level of the land, will ensure it would not be obtrusive. Furthermore its appearance is not out of keeping with a rural area, hence it has no impact on the openness of the Green Belt (144).

Recreational development in the Green Belt (KLP Policy PLP56)

- 2.10. The adopted local plan supports the development, subject to the following:
'in the case of all-weather riding arenas or other facilities for the exercising of horses, the degree of engineering operation required and the resultant re-grading of land, including any earth mounding and retaining structures, does not result in incongruous or discordant landform out of character with its setting that cannot be mitigated through the use of appropriate hard and soft landscape techniques'.
- 2.11. The proposed size is based upon that recommended for a ménage. In terms of access, the existing access is designed for farm vehicles and there is ample space for parking a horse box. It is maintained that the engineering works necessary to create the ménage will have a minimal impact on the landscape. Furthermore, the area of sand would have no adverse impact on landscape character.

Heritage Statement

- 2.12. The listed building status is important since any application must be assessed against the impact on the character of this building.
- 2.13. S189 of the new NPPF states: *'In determining applications', local planning authorities should_ require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.*



The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and where necessary, a field evaluation.'

- 2.14. S190 furthermore states, 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'
- 2.15. The proposed ménage will be in close proximity to Lower Wood Royd Farmhouse, a grade II listed building(see appendix). It confirms that it is a typical Pennine Farm, recognised for its own merits rather than being part of buildings with a group value. The development will not be seen from the listed building nor will it impact on any key views of that building. The listing does not identify any particular features which require special attention when assessing the impact of the proposal.
- 2.16. Section 192 states: 'In determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.'
- 2.17. Section 193 states: 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

- 2.18. The proposal is assessed to result in less than substantial harm to the setting of the listed building and the impact is low to negligible.

3. Conclusions

- 3.1. It is maintained that the proposed development is not inappropriate in the Green Belt, plus any impact on the openness of the Green Belt, is lessened by the location, close to existing buildings.
- 3.2. The proposal will also have a negligible impact on the setting of the listed building.
- 3.3. It is therefore respectfully requested that the application be approved.

Appendix

LOWER WOOD ROYD FARMHOUSE

List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: LOWER WOOD ROYD FARMHOUSE



List entry Number: 1134777

Location

LOWER WOOD ROYD FARMHOUSE, WOOD ROYD HILL LANE

District: Kirklees

Parish: Holme Valley

Grade: II

Date first listed: 04-Aug-1983

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: LBS

UID: 340628

Asset Groupings

This list entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List entry Description

Details

SE 10 NE WOOD ROYD HILL LANE 5/400 (Victoria)

Lower Wood Royd Farmhouse

II

Farmhouse, part of group. Mid C18. Rendered walls. Stone slate roof. Two stone stacks. Two storeys. Central door with Tudor arch in deep lintel. To left, both floors, is shallow, double chamfered 3-light window. To right is sash to ground floor, and 3-light stone mullioned window, square cut, to first floors. Outshut extension to rear. Barn to left not included in the item.

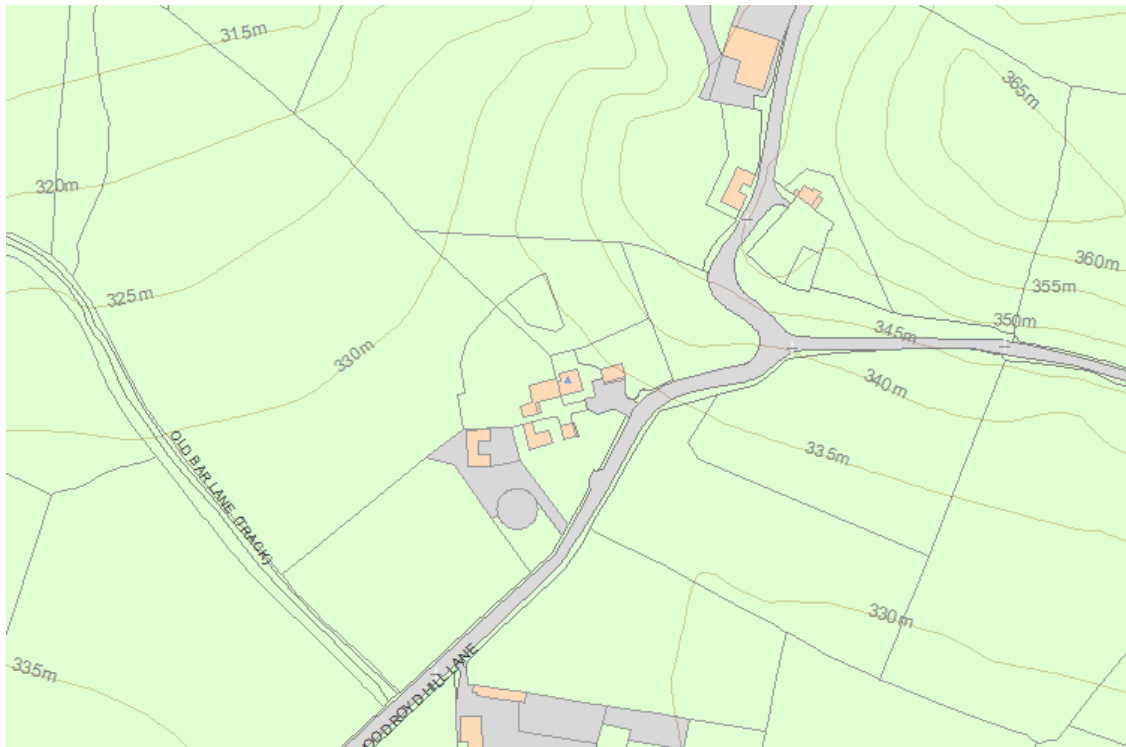
Listing NGR: SE1799305684

Selected Sources

Legacy Record - This information may be included in the List Entry Details

National Grid Reference: SE 17993 05684

Map



© Crown Copyright and database right 2018. All rights reserved. Ordnance Survey Licence number 100024900.

© British Crown and SeaZone Solutions Limited 2018. All rights reserved. Licence number 102006.006.

Use of this data is subject to [Terms and Conditions](#).

The above map is for quick reference purposes only and may not be to scale. For a copy of the full scale map, please see the attached PDF - [1134777.pdf](#)

The PDF will be generated from our live systems and may take a few minutes to download depending on how busy our servers are. We apologise for this delay.

This copy shows the entry on 11-Sep-2018 at 04:30:49.