



# Maria Ferguson

PLANNING CONSULTANCY

**YOUR REFERENCE: 2022/62/90175/E**

**OUR REFERENCE:**

Ms A Downham  
Planning Services  
Kirklees Council  
Civic Centre  
Huddersfield  
HD1 1BY

**25<sup>th</sup> January 2023**

Dear Ms Downham

**Planning application reference 2022/62/90175/E – Erection of stables and new access and hardstanding - land north of, Stocks Moor Road, Stocksmoor, Huddersfield, HD4 6XL**

I am instructed by \_\_\_\_\_ Stocksmoor to write to you on \_\_\_\_\_ behalf in objection to the above planning application. I am familiar with the history of this site, and the application made by Mr Winn (reference 2021/62/92506/E) in June 2021 which was refused by Kirklees Council.

It is clear to me that a concern of local residents is around consistency in decision making. The refusal of the earlier application, and the issues raised in the report to committee at that time were a mark in the sand in terms of the acceptability of this equestrian development. It would appear that the concerns raised by officers in the report to committee in relation to the earlier scheme have not been fully addressed, namely the impact on the openness of the Green Belt and highway safety.

The views expressed in the latest application committee report and those of the highway officer seem to fly in the face of those contained in the previous application and whilst I realise the proposals have altered slightly, those issues still remain.

As you are aware, the starting point for decision making is the Development Plan. The relevant policy in the Kirklees Local Plan is Policy LP56 (Facilities for outdoor sport, outdoor recreation and cemeteries).

This policy pre-dates current guidance in NPPF and states that appropriate facilities associated with outdoor sport and outdoor recreation will only be acceptable as long as the openness of the Green Belt is preserved and there is no conflict with the purposes of including land within it. Proposals should ensure that the scale of the facility is no more than is reasonably required for the proper functioning of the use of the land, and the facility should be unobtrusively located and designed so as

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not to introduce a prominent urban element into a countryside location, including the impact of any new or improved access and car parking areas.

The supporting justification for Policy LP56, as is the case in many other local authorities, contains guidance around the application of the policy, and states that any development, including any new access, car parking areas, floodlighting or additional curtilage, should be unobtrusive and will not be acceptable where it would create a significant and essentially urban element in the landscape to the detriment of its Green Belt setting. It goes on to state:

*"Usually the proposal will be for ready-made stables and these are generally acceptable where they are of timber construction and can be appropriately and unobtrusively sited. The use of more permanent materials should be resisted as this can result in a proliferation of permanent structures to the detriment of the open character of the landscape should the use as a stable cease. Stables should where possible be sited where access already exists, as the impact of any new access will be taken into account in assessing impact."*

This text was referred to in the delegated report when the earlier application was refused.

It is acknowledged that the applicant has reduced the scale of the development proposed, however there were a number of issues raised at the time of the earlier refusal that are still applicable here. These are issues that residents were in agreement with. I also agree with the findings of the earlier report. These issues are set out below:

- 1) The absence of buildings on the north side of Stocks Moor Road means that a new building will be particularly prominent, and there is no existing natural screening. Your report to committee refers to separation by a slight elevation change and a drystone wall. The wall height is a little over a metre in height (lower to the site frontage), and will offer no visual screening for the development from public views whatsoever. To suggest this mitigates the strong visual impact of the development in this very open position in the Green Belt is absurd. As the development impacts on openness, and to suggest it doesn't in any way is entirely flawed, it is therefore by definition harmful to the Green Belt. There must therefore be very special circumstances demonstrated that justify the harm. No such circumstances have been demonstrated.

In addition, you refer in your committee report to 'proposed native screen planting'. The drawings on the public access site show no proposed native screen planting. There is no proposed condition requiring such planting and so the planning authority would not be able to enforce this. Furthermore, native screen planting would not serve to screen this development from close and long-range views due to the rather elevated and prominent nature of the site.

- 2) It is stated in your committee report that the stables will be constructed of breezeblocks to 1.4m and timber boarding above. This is not illustrated on the drawings, and is not clear on the application form. Nor is it a suggested condition. The planning authority would therefore have no control of this. The applicant's covering letter states: *"They have been designed as appropriate to a rural area being breeze block built and clad in Yorkshire Board timber."* Notwithstanding the fact that the materials are shown to be horizontally boarded timber, and



not in fact Yorkshire boarding, the core application documents on which a decision is proposed is missing the materials from which the stables would actually be constructed.

The materials from which this development is to be constructed is an important consideration in the assessment of this application against policy, since paragraph 19.21 of the Local plan states that *"the use of more permanent materials should be resisted as this can result in a proliferation of permanent structures to the detriment of the open character of the landscape should the use as a stable cease"*. Materials from which the stables are constructed should be conditioned, and clearly indicated on the submitted drawings, and thereafter enforced. The stables should not be built from permanent materials for the reasons set out in the policy justification, and there are plenty of examples of timber stables across the north of England. This was the clear view in the committee report justifying the refusal of the earlier application – why the change in opinion of officers at this stage?

- 3) Highways officers on the earlier application insisted that the entrance gate to the site was set back 10m from the public highway, to ensure that a car and trailer could pull into the site without causing an obstruction. It is unclear as to why this is no longer a requirement, and I think the public should be able to expect consistency in this regard. An equestrian facility is always going to attract larger vehicle movements, such as towed and driven horse boxes (NB - the intentions of the current applicant here are irrelevant as they may not always occupy the site, especially as the applicant is not the owner of the land in question). Horse boxes will be used to take horses elsewhere to events, for example, or to the vet. It is absolutely appalling that the Council consider it appropriate that such vehicles should reverse onto the public highway in this location. The delivery of hay or straw or feed may also be required in the future, again the owner / occupier of the stables may not always have control over all of the adjacent land.

Notwithstanding this, there appears to be no assessment of the impact of the proposed yard area on the openness of the Green Belt. This hardstanding will have a compounding effect on the appearance of the stables. Just because it is to be constructed of gravel, as opposed to some other material, will make it no less urbanising.

Policy LP56 in fact states that the facility should be unobtrusively located and designed so as not to introduce a prominent urban element into a countryside location, including the impact of any new or improved access and car parking areas. The proposed development clearly introduces a significant urban intrusion in the form of a remotely located building close to public views, with a large gravelled hardstanding to make matters worse.

It is no secret that there is a significant level of concern locally that the proposed stable may be a means to securing planning permission in the future for a new dwelling on the site. Whilst this in itself is perhaps not in itself justification to refuse planning permission for this proposed development, the planning authority should at least be seen to be consistent in its decision making, but also ensure that the application is sufficiently clear and any subsequent decision robust. Based on the points raised

above, I do not believe that there is sufficient detail on the plan or that the conditions are sufficient to ensure the development, if given consent, can be suitably controlled.

Unless the above deficiencies are addressed, any permission granted by the Council would be unsafe and open to challenge by way of judicial review, and there is sufficient objection in the local area for this to be a real possibility.

Yours sincerely

**DIRECTOR  
MARIA FERGUSON PLANNING**