

HG/JC/2630

2nd February 2021

Kirklees Council
Development Management
PO Box B93
Huddersfield
HD1 2JR

Dear Sir/Madam

Certificate of Lawful Development for
Use of Farmyard for Storage, Sale and Distribution of Aggregates
and storage of HGVs
Fairleigh Farm, Penistone Road, Birdsedge, Huddersfield, HD8 8XW

Please find enclosed an application for a certificate of lawful development for the use of the farmyard at Fairleigh Farm, HD8 8XW for the Storage, Sale and Distribution of Aggregates and storage of HGVs.

For the reasons set out below we believe the change of use of the yard to include the storage, sale and distribution of aggregates took place more than 15 years ago and is therefore exempt from enforcement action.

Whilst historically the site has been used as a farm, the storage, sale and distribution of aggregates has built up over many years dating back to the 1970's when businesses started to approach the applicant to move aggregates around for contractors and ground workers, using the various machines and vehicles they had for the farming business, such as tractors with various attachments and tipper trucks. As this side of the business developed it became simpler and more effective to have the aggregates stored on site rather than having to travel to a supplier each time the aggregates are needed.

In the 1980s the Local Authority approached the Council to help with gritting the roads in the winter, which is a contract that continues to the present day.

Accompanying this application are a number of documents, comprising:

1. Witness Statement of Guy Ellis

This is a signed statement by the applicant setting out his recollection of the activities that have taken place on the site since his family took ownership of the farm in 1964.

This confirms that the site has been used for commercial operations since the early 1970s. The statement explains that haulage operations have been operating from the yard since at least 1994, with at least 3 haulage vehicles being stored on the site since that date.

2. Note and Photographs -1
2. Note and Photographs - 2

These provide a photographic record of activities that have taken place on the site over the years.

3. Contractual Documentation with Kirklees

This document includes a number of emails outlining the contractual obligations between Fairleigh Farm and Kirklees Council for:

- Highway Verge Mowing and Hedge Cutting
- Flailing and Hedge Cutting
- Winter Services
- Hire of Civil Engineering Plant, Vehicles and Equipment

4. Bundle of documentation with historic evidence

This is a bundle comprising copies of over 2,300 invoices and orders for Fairleigh Farm dating back to 1995 comprising amongst other things:

- Shipping and Haulage Contracts
- Hedge Cutting Contracts
- Mowing Services
- Aggregates including Sand, Stone, Limestone, Bottle Cullet, Plate Cullet, Lime, Clinker, Gravel, Bauxite, Clay, Coal and Peat.
- Fuel Purchases for Haulage, which show there has been a haulage company registered at this address for 20+ years.
- Verge Mowing and Hedge Trimming orders from Kirklees Council

I hope you agree that this information demonstrates the activity described within this application has been taking place on this site for over 15 years.

Yours faithfully

Hamish Gledhill BSc (Hons), Dip TP, MRTPI