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PLANNING SUPPORT STATEMENT

DETAILED APPLICATION FOR CHANGE OF USE OF
AGRICULTURAL BUILDING TO EQUESTRIAN USE
(STABLES AND EQUESTRIAN STORAGE) AND
LEAN TO EXTENSION; OUTDOOR MENAGE;
STALLION WALK OUT AREA;
FIELD SHELTER; AND EQUESTRIAN USE OF THE LAND
(RETROSPECTIVE)

SPRINGHEAD FARM AND SPRINGHEAD STUD,
SCHOLES MOOR ROAD,
HADE EDGE,
HOLMFIRTH,
HD9 1RU.

MR AND MRS P CROMPTON

FEBRUARY 2023

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1.0 INTRODUCTION

The proposal which forms the subject of this application for detailed planning permission is for the change of use of agricultural building to equestrian use (stables and equestrian storage) and lean to extension; outdoor menage; stallion walk out area; field shelter and change of use of the associated land to equestrian use (retrospective) at Springhead Farm and Springhead Stud, Scholes Moor Road, Hade Edge.

The following supporting documents/information are submitted with the application:-

- (i) Full plans and details – Stamford Geomatics; and
- (ii) Planning Support Statement – Townsend Planning Consultants.

The application site forms part of a mixed use holding with the applicants involved in livestock farming as well as the breeding and keeping of horses. The equestrian use is private and applicant breeds horses for their own use.

It is considered that this statement, together with the accompanying plans and documents, clearly demonstrate to the Council that the proposal accords with national and local planning policy and, when judged against this and all material considerations, it is clearly the case that planning permission should be granted.

This statement now proceeds to provide details of the subject works. Relevant planning policy and central government advice in the form of the National Planning Policy Framework is then discussed. The issues that the proposal raises including the impact on the Green Belt are also examined and finally the conclusion is reached that planning permission should be granted for the proposal to proceed. Nevertheless, the applicants remain willing to discuss all aspects of this proposal with the Council.

It is considered in the context of the Development Plan and all material considerations that planning permission should be forthcoming. Nevertheless, the applicant remains willing to discuss all aspects of the proposal.

2.0 THE SITE, PLANNING HISTORY AND THE PROPOSAL

The subject site owned by the applicants incorporates a two dwellinghouses, Springhead Stud and Springhead Farm, located off a private drive from Scholes Moor Road, Head Edge. The overall landholdings extends to some 15 acres or thereabouts. The site constitutes a mixed holding with the applicant rearing livestock on the farm including chickens and sheep as well as utilising the landholdings for private equestrian purposes including breeding. These activities have continued since the applicant purchased the site in 2016.

Associated with the farm is a building utilised for equestrian which was built following a Prior Notification approval (ref 2016/N/92622/W) in 2016. The building was used solely for agricultural purposes up until September 2021 when the applicants changed the use of the building to the stabling of horses and equestrian storage. It has been converted to incorporate internally 15no stables and equestrian storage, with a minor lean to extension for the storage hay. It will be noted that prior to September 2021 horses were kept solely outside on the fields all year round. Before this the field shelter and temporary stables were brought onto the site temporarily during bad weather and winter months.

The equestrian use is solely for private purposes. The applicant does breed horses however this is for their own private enjoyment and not for commercial purposes. At the time of writing there are currently 6 mares in foal and a suitable building (i.e. the subject building) is essential for their welfare. The proposals seek retrospective consent for the change of use and by its own nature it has no impact on the Green Belt (in comparison with the agricultural use).

Due to the nature of breeding horses, the applicant has to keep the male and female horses separate. This created the need for a stallion turnout area which was created in October 2019. Due to the topography of the location of the turnout area (it being set below existing ground level) and the landscaping surrounding the area, there are very limited views of the building within the landscape.

A field shelter was erected in one of the fields in 2021 to ensure there is shelter during poor weather.

Over more recent months a menage has also been built on the site. Due to issues during wetter periods of weather and its associated issues (and damage to the land), a more permanent riding arena was required which could be in all weathers. The menage has been set down into the landscape and planning has been provided which result in limited views within the landscape. The development of menages is an ancillary use to the equestrian activity and a feature in the landscape where equestrian activities are involved.

Sporadic equestrian development is a characteristic of this site, the immediate surrounding area and the Kirklees Districts rural areas and is not out of place with the general character of the area. The change of use of the agricultural building can have no harmful impact on the openness or visual amenity of the Green Belt as it already exists and the menage and walk out area are well screened and characteristic of equestrian sites. There is therefore considered to be no harmful impact on the openness or character of the Green Belt.

It is considered that the scheme fully conforms with planning policy and gives no rise to any issues of harm, as such it is considered that planning permission should be forthcoming, nevertheless the applicant remains willing to discuss all the aspects of the proposal with the Council.

3.0 PLANNING POLICY

By virtue of Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the planning authority must determine the planning application in accordance with the statutory development plan (insofar as it is material to the application), unless material considerations indicate otherwise. The NPPF also advises of a presumption in favour of development which accords with the development plan. The importance of the statutory development plan in the decision making process necessitates an examination of the relationship between the policies and proposals of the plan and government guidance.

3.1 Central Government Policy Advice

3.1.1 The National Planning Policy Framework

The following are comments on the advice in the Framework which is considered to be relevant to the consideration of the proposal:

Para 2 of the 'Introduction' sets out that:

"Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise."

Section 13 deals with Protecting Green Belt Land. At Para 147 it states:

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

Para 149 goes on to state:

"A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

...(b) the provision of appropriate facilities (in connection with the existing use of land or 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 the land within it;

- (c) *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 proposal is an “appropriate” facility for outdoor sport/recreation and does not conflict with the purposes of including land within it and that extensions to a building are acceptable provided subject to them resulting in disproportionate additions over and above the size of the original building (a 4.75% addition). As such, it will be noted that as the retrospective proposal does not constitute “inappropriate” development and, therefore, it is not necessary for the applicant to prove “very special circumstances” to justify the development.

Indeed at Para 150 it goes on to state:-

“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:

- d) *the re-use of buildings provided that the buildings are of permanent and substantial construction;*
- e) *material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); ...”*

It is considered that it is clearly the case the reuse of a building for equestrian purposes and the change of use of the land do not constitute inappropriate development.

3.2 **Local Planning Policy**

3.1.2 **Kirklees Local Plan**

The Development Plan for the Kirklees District is the Kirklees Local Plan (2019). The site on the supporting proposals map is identified as being wholly within the Green Belt.

The following policies are considered relevant to the consideration of this application:-

- (i) **Policy LP10 – Supporting the rural economy**

Amongst other requirements the policy sets out that where development is proposed in the Green Belt regard must be had to the relevant policies in the Local Plan and relevant national planning policy.

(ii) Policy LP24 – Design

The policy constitutes the general design policy for all developments. The retrospective proposals seek the change of use of former agricultural building and minor lean to which is suitable for reuse with no additional external changes. The menage and horse stallion walk out area benefit from screening due to their topography, lowering of ground level and planting of screen planting. Field shelters relating to equestrian purposes are common within the landscape.

(iii) Policy LP56 – Facilities for outdoor sport, outdoor recreation and cemeteries

The policy sets out that:-

“In the Green Belt proposals for appropriate facilities associated with outdoor sport, outdoor recreation or cemeteries will normally 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.”

As demonstrated in this statement the proposals are appropriate use in line with the requirements of the NPPF. The proposals have been designed to ensure openness is preserved through the use of an existing agricultural building and well screened walk out area and menage ensures careful design and field shelters are synonymous in the landscape.

The policy further sets out that:-

- “a. the scale of the facility is no more than is reasonably required for the proper functioning of the enterprise or the use of the land to which it is associated;*
- b. the facility is 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;*

- c. *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 land form out of character with its setting that cannot be mitigated through the use of appropriate hard and soft landscape techniques.”*

In relation to these matters:-

- a. The scale of the retrospective facility is no more than reasonably required for the functioning of the enterprise. There are sufficient landholdings to support the use.
- b. Stables are characteristic of the countryside landscape in this location. The main building for stabling formed an agricultural building and the walk out area and menage are well screened in the landscape. Field shelters are common within the landscape.
- c. The menage and riding arena, are well screened in the wider land scape due to the use of the topography and the planting of landscaping. They are ancillary facilities for equestrian activities and are a characteristic feature of the landscape around this part of the District where there is a predominance of equestrian uses. The applicant is happy to discuss the introduction of further landscaping if required.

It is therefore considered that the proposal conforms to the above policy.

(iv) Policy LP57 – The extension, alteration or replacement of existing buildings

The policy is the general policy relating to the extension, alteration or replacement of buildings within the Green Belt. In relation to extensions it sets out at (a) that:-

“in the case of extensions the original building remains the dominant element both in terms of size and overall appearance.”

The retrospective proposals seek consent for a small lean to extension which will not dominate the existing building and is very small scale in comparison with the host building.

In addition the extension will not result in a greater impact on the openness as well as the design and materials not detracting from its green belt setting.

(v) Policy LP60 – The re-use and conversion of buildings.

The policy relates to the conversion and re-use of existing buildings in the Green Belt and sets out they are considered acceptable where:-

- “a. the building to be re-used or converted is of a permanent and substantial construction;*
- b. the resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape, including through the treatment of outside areas such as means of access and car parking, curtilages and other enclosures and ancillary or curtilage buildings;*
- c. the design and materials to be used, including boundary and surface treatments are of a high quality and appropriate to their setting and the activity can be accommodated without detriment to landscape quality, residential amenity or highway safety.”*

In relation to the above:-

- a. The building is of permanent and substantial construction.
- b. The scheme seeks to utilise the existing building and access. The proposals will not result in an urbanising characteristic into the landscape.
- c. The design and materials used are to remain as existing externally and as such there will be no visual impact.

3.2.2 Holme Valley Neighbourhood Development Plan

The Holme Valley Neighbourhood Development Plan became part of the statutory development plan for Kirklees Council in December 2021. The application site falls within the Neighbourhood Plan Area, it also defines the site as being within LCA3 Hade Edge Upland Pastures Character Area. It should be noted that this is a Neighbourhood Development Plan designation and the whole Neighbourhood plan area is covered by character areas.

(i) Policy 1: Protecting and Enhancing the Landscape Character of Holme Valley

The policy sets out that:-

“All development proposals should demonstrate how they have been informed by the key characteristics of the LCA in which they are located. Proposals should be designed in accordance with the character management principles in respect of landscape set out in paragraph 4.1.17 for each of the LCAs in order to avoid detrimental impact on the LCA.”

The application site is located in the LCA3 Hade Edge Upland Pastures which covers a large area including settlements. Reference is made in the LCA to an open and agricultural landscape. The management plan fails to recognise the sporadic equestrian development in the area, which is a clear characteristic, in particular the area surrounding the application site.

It goes on to state that *“proposals should aim to make a positive contribution to the quality of the natural environment”*.

It sets out that the design and siting of new development and associated landscaping schemes should address including;

- 1) Respecting long distance views and minimising any impact on the wider landscape.
- 3) Boundary treatment should be sensitive to the character area.
- 4) Landscaping scheme to be submitted with applications.

The proposals seeks the retrospective consent for the change of use of an agricultural building to equestrian, a walk out area, menage and a field shelter. Both agricultural and equestrian uses/buildings and associated structures are prevalent in the landscape. The menage and walk out area are hidden from the wider landscape due to being set below existing ground level, in addition landscaping is established and has been planted around the menage and horse walkout area, providing further screening.

(ii) Policy 2: Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design

The policy forms a general policy for all developments in the Holme Valley in relation to building character and design, some of which is not relevant to the proposals. It is considered that:-

- (i) The retrospective proposals do not cause issues in relation to the built character. The agricultural building and save for a small lean to extension (which is in character with the building) there is no change visually in comparison with its previous use as an agricultural building;
- (ii) The retrospective proposals already incorporate landscaping around the menage and walk out area which results in no negative impact on enhance the visual appearance of the site;
- (iii) The retrospective proposals use traditional materials for agriculture and equestrian uses; and
- (iv) The retrospective proposals do not result in issues in relation to amenity as the applicants own both properties at the site.

4.0 THE ISSUES

4.1 The Development Plan

It is demonstrated in the section above that the proposal conforms with Development Plan policy. It is, therefore, considered that the applicant is entitled to the presumption inherent in Section 38 (6) to be weighed in their favour.

It now falls for the matter to be considered in the light of all material considerations.

4.2 Other Material Considerations

The following are issues which it is considered are material considerations in respect of the determination of this application.

4.2.1 The Green Belt

Clearly, by reference to Para 149 of the NPPF, the development of appropriate facilities for outdoor sport and outdoor recreation and the extension of a building provided it does not result in disproportionate additions over and above the original building does not constitute inappropriate development in a Green Belt. By reference to para 150 of the NPPF, both the re-use of buildings provided that they are of permanent and substantial construction material construction and material changes of use of land for outdoor sport and recreation do not also constitute inappropriate development in a Green Belt.

The proposal maintains the openness of the Green Belt by reusing an existing building, suitable use of natural and screen planting to limit the views of the menage and turn out area as well as being the proposed retrospective structures being commonplace in the landscape. Therefore it does not conflict with the purposes of including land in the Green Belt.

4.2.2 Visual Impact

In relation to the retrospective change of use of the agricultural building to equestrian stables and storage there is no discernible change in visual appearance from its previous use as agriculture. It is note that there is a small lean to extension to the building for the storage of hay however this in character in nature is agricultural and synthesises with the

existing building and is small in scale. It is considered that the use of the building does not give rise to harm in visual terms.

In relation to the stallion turn out area, it is shielded from public view by virtue of the topography, existing boundary treatment and its location adjacent to the barn. The menage is shielded from public view due to the topography of its location and boundary treatment (which is establishing itself due to the recency of the menage). Field shelters are commonplace with the equestrian uses within the landscape. These are both ancillary to the equestrian use and are not out of keeping within the equestrian site.

It is also identified that there is sporadic development in this part of the Green Belt, including equestrian, agricultural and residential including the existing site. The proposed uses and structures, therefore, wholly conform with the character of the area and will not be out of keeping.

Care has also been taken that the form and materials are appropriate and will not give rise to harm.

4.2.3 Equestrian Use of the Lane

Equestrian uses are a characteristic of this part of the countryside and the immediate area and give no rise to issues of harm.

5.0 CONCLUSION

This retrospective application seeks the change of use of an agricultural building to equestrian use (stables and equestrian storage) and lean to extension; outdoor menage, stallion walk out area; field shelter and change of use of the associated land to equestrian use.

In relation to the proposals it is clear that:-

- a) The change of use of a former agricultural building to equestrian is not inappropriate development;
- b) The extension to the former agricultural building would not result in disproportionate additions over and above the size of the original building and the use of materials is appropriate;
- c) Both the outdoor arena and stallion walk out area are appropriate facilities in a Green Belt and by virtue of topography and screening, as well as being appropriate in the green belt would not have an adverse impact on the visual appearance of the Green Belt.
- d) Field shelter is a common feature with equestrian facilities within the immediate area.

It has been demonstrated that the retrospective proposals do not constitute inappropriate development. It is clear from both local and national policy that the proposed use is acceptable within the Green Belt.

It is considered that this statement has demonstrated the proposal conforms with both national and local policy. As a consequence, the applicant is entitled to the presumption in favour of Section 38(6) to be weighed in their favour. It is considered that the development gives rise to no issues of harm.

The applicant remains willing to discuss all aspects of the proposal with the Council. Should any matters arise or further clarification be required, please do not hesitate to contact me.