

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2023/62/91063/W
Site Address:	Meadow Nook Farm, Haddingley Lane, Cumberworth, Huddersfield, HD8 8YA
Description:	Erection of extension to existing store and new livestock shed for cattle
Recommending Officer:	William Simcock

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Teresa Harlow

AUTHORISED OFFICER

Date: 5th June 2023

Officer Report - 2023/91063

Meadow Nook Farm, Haddingley Lane, Cumberworth, Holmfirth

Site Description

Meadow Nook Farm is a large dairy farm located between Haddingley Lane and Dearne Dike Lane, which border it to the west and east respectively. It is in an undeveloped rural area and a considerable distance from the nearest village. The farmhouse is located on the Haddingley Lane frontage and the main entrance to the farm buildings, which are of modern appearance, is off Dearne Dike Lane.

Description of Proposal

The proposal is for the erection of an extension to an existing agricultural building and the erection of a new livestock building.

According to the supporting statement, the holding comprises 280 acres (the majority rented), with 450 head of beef cattle that are housed indoors over winter and finished indoors on grain. There has been a recent increase in the size of the herd with the applicant having taken on a further 70 acres of land and starting to grow their own grain. Grain storage is now taking up space that would have been used for cattle.

The extension is proposed to the large building on the Dearne Dike Lane frontage, on the southern side of the access. It would be used mainly for storing silage. It would be 16m wide, thus continuing the line of the existing highway side elevation, but stopping some 5m short of the inner or western side. The roof would continue the line of the existing roof.

The new building is to be placed adjoining, and “wrapped around”, the potato pit on two sides, and extending outwards up to 10.7m from it. It would have pitched roof and be 6.5m high at the top of the roof.

Both developments are to be constructed in concrete panel (to 3m in the case of the extension, 2m for the new building) with timber space boarding above. The extension is to have a grey profile steel roof, the new building is to have a fibre cement roof.

History of negotiations/amendments received

None.

Relevant Planning History

2014/92800 – Prior notification for erection of agricultural building. Details approved.

2014/92801 – Erection of agricultural building and garage. Conditional full permission.

Representations

Final publicity date expires: 15-May-2023 (Publicity by site notice only because there were no close neighbouring properties to be notified, thereby fulfilling the requirements of the Development Management Procedure Order).

- Holme Valley Parish Council comments – Support.

No representations have been made by other third parties.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the Assessment section of the report, where appropriate):

- KC Environmental Health – No objection.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

- The site is within the Green Belt on the Local Plan proposals map.
- It is also within the Twite buffer zone.

Kirklees Local Plan (LP):

- **LP 1** – Presumption in favour of sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highway safety
- **LP 24** – Design
- **LP 30** – Biodiversity and geodiversity
- **LP 54** – Buildings for agriculture and forestry

Supplementary Planning Documents:

- Biodiversity Net Gain Technical Advice Note
- Climate Change Guidance for Planning Applications

Neighbourhood Development Plans:

Holme Valley Neighbourhood Development Plan (2020-2031)

The site is within Landscape Character Area 3: Hade Edge Upland Pastures. This character area is described as:

Key landscape characteristic of the area:

- The open landscape has long distance views of the settled corridor of the River Holme and Kirklees district beyond as well as local views of open water bodies such as Boshaw Whams and Holme Styes.
- Stone boundary walls are common features creating a strong sense of visual unity.
- A network of Public Rights of Way (PRoW) follows local lanes or field boundaries. Minor roads and ProW, including sections of the Kirklees Way and the Barnsley Boundary Walk long distance footpaths, connect farmsteads located on the valley sides. National Cycle Route no. 68 also passes through this area.

Key built characteristic of the area are

- Dispersed settlements characterised by their former domestic textile manufacturing, mill buildings and agricultural heritage along with isolated farmsteads set within an upland agricultural landscape.
- Hade Edge is the largest of the settlements containing some services and modern and older development and lies on a plateau at Dunford Road / Penistone Road.
- Former textile/woollen mills set within the valley of the River Ribble.

The following policies of this plan are considered most relevant:-

- **Policy 1** – Protecting and Enhancing the Landscape Character of the Holme Valley
- **Policy 2** – Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design
- **Policy 7** – Supporting economic activity
- **Policy 12** – Promoting Sustainability
- **Policy 13** – Protecting Wildlife and Securing Biodiversity Net Gain

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th July 2021, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 6 – Building a strong, competitive economy.
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 13 – Green Belt
- Chapter 14 – Meeting the challenge of climate change, flood risk and coastal change
- Chapter 15 – Conserving and enhancing the natural environment.

Assessment

The following matters are considered in the assessment below –

- 1) Principle of development
- 2) Appropriateness in Green Belt and impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Other matters – e.g. trees/ecology (e.g. bats)
- 6) Representations
- 7) Conclusion

1 – Principle of development: The site is in the Green Belt and as such the proposal will be assessed having regard to the advice in Chapter 13 of the NPPF, in particular paragraphs 147-150. This states that the construction of buildings is inappropriate in the Green Belt unless they are for a limited range of uses, which includes agriculture (149(a)). It does not set out any specific advice on how to assess the appropriateness of new buildings for agriculture.

More specifically, however, Policy LP54 of the Local Plan states that such proposals will normally be acceptable, provided that:

- a) The building is genuinely required for the purposes of agriculture or forestry;
- b) The building is sited in close association with existing agricultural buildings, unless there are clear and demonstrable reasons for an isolated location;
- c) There will be no detriment to the amenity of nearby residents;
- d) The design and materials should have regard to relevant design policies and not materially detract from their setting.

The proposal will be further assessed according to the following policies:

- LP21 – that proposals must ensure the safe and efficient flow of traffic and safe access.

- LP22 – appropriate parking to be provided given the type of development and the accessibility of the site.
- LP24 – the form, scale, layout and details of development must respect and enhance the character of the townscape and landscape, provide a high standard of amenity for future and neighbouring occupiers including appropriate distances between buildings and a high level of sustainability.
- LP30 – Development should incorporate biodiversity enhancement measures where appropriate.

Policy 1 of Holme Valley NDP required that development must respect long-distance public views and, more specifically, that agricultural buildings should comply with Kirklees Local Plan LP54 and should use neutral colours and tones, with appropriate screening and landscaping. Policy 2 requires that building design should respect local built and landscape character, having regard to the specific character area.

Policy 7 states that proposals that result in the sustainable expansion of (especially) small businesses will be supported where the development is acceptable in terms of national Green Belt policy and subject to highway and environmental considerations.

Also of relevance is NPPF Chapter 6 paragraph 84 (Supporting a prosperous rural economy) Chapter 14 (opportunities to be taken to prevent development contributing to flooding) and 15 (any potential pollution impacts should be assessed at the planning stage, and biodiversity should be enhanced where possible.)

2 – Appropriateness within Green Belt and impact on visual amenity: It is considered that the supporting information demonstrates that the building is genuinely required for the purposes of agriculture. This means that part (a) of Policy LP54 is complied with. The new development would be seen in close proximity to existing buildings and as such would comply with LP54(b).

It is considered that neither of the new structures would affect long-distance views or the quality or character of the landscape, since both would be subordinate to the existing buildings, or at least no greater than them in height, and would not give rise to the appearance of an incursion of development into the open countryside. HVNDP Policy 1 requires that agricultural building should use “neutral colours and tones.” It is considered that the use of concrete, timber, and fibre cement would fulfil these criteria. The Design & Access Statement confirms that the colours and materials have been chosen to match the adjacent buildings. It can, for the avoidance of doubt, be conditioned that colour finishes of the steel roofing match the existing building.

it is considered that the proposed building would not adversely affect the openness of the Green Belt or conflict with the purposes of including land

within it and would therefore in principle support the aims of national Green Belt policy as set out in the NPPF. Subject to the above condition on materials, it would not detract from the appearance or character of its surroundings and would thereby accord with the aims of LP24(a) and LP54(a, b and d) of the Local Plan and Policies 1,2 and 7 of the HVNDP. Furthermore, the development would help support the rural economy in accordance with paragraph 84 of the NPPF, Policy LP10 of the Local Plan and Policy 7 of the HVNDP.

3 – Impact on residential amenity: The site is relatively isolated, with no close residential neighbours. The nearest independently occupied dwelling is Dearne Dike House, some 95m to the north. Kirklees Environmental Health have been consulted and raised no concerns.

It is considered that the development would not cause harm to the amenities of neighbouring properties or the wider area by reason of noise, odours or other factors, thereby according with the aims of LP54(c), LP24(b) and LP52 of the Local Plan, Policy 2 of the HVNDP and Chapter 15 of the NPPF.

4 – Impact on highway safety: The proposed development would make use of the existing access track to the farm and would not affect any existing parking, turning or servicing provision. It may represent a modest intensification of the use of the site, but it is considered that the development would have no material impact on the free and safe use of the highway and would accord with LP21-22 of the Local Plan.

5 – Other matters:

Climate Change:

On 12th November 2019, the Council adopted a target for achieving ‘net zero’ carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. Since February 2023, the submission of a Climate Change Statement has been part of the local validation requirements.

The following features or measures are listed in the statement:

- Roof lights for natural lighting;
- Timber space boarding and open frontages for natural ventilation;
- Located next to existing buildings;
- Robust long-life materials that require little maintenance;
- All buildings located on existing yard;
- All materials sourced from within West Yorkshire and will use local construction firm from Upper Cumberworth;

- One building adjoins the fodder pit thus reducing the need for building materials;
- Water will be collected using gutter systems.

Since the development is for the modest expansion or enhancement of an existing business, it is considered that the applicant has demonstrated that the development will contribute to the aims of minimising carbon emissions to an acceptable degree and it would comply with the aims of LP24(d) of the Local Plan and Policy 12 of the HVNDP.

Ecology:

The site is within the twite buffer zone and bat alert layer. The site is also within the SSSI IRZ but this only requires the local planning authority to consult Natural England for livestock & poultry units with floorspace over 500m², which this proposal is not. Land included in the Kirklees Wildlife Habitat Network lies just over 100m to the north. It is considered that the development would not affect any land with high biodiversity value. The opportunity exists to deliver ecological enhancement.

It is considered that a proportionate measure would be the installation of a Sparrow Terrace (1SP Schwegler Sparrow Terrace or similar). The Ecology Officer has requested that details be submitted for approval, but for the sake of simplicity it is recommended that in this instance a prescriptive condition would be adequate. The most appropriate place for the artificial nesting feature would be the eastern or northern elevation of the extension since this would be a relatively sheltered location and would face towards the Wildlife Habitat Network.

Subject to this measure being conditioned, the development would comply with the aims of Policy LP30, HVNDP Policy 13, and Chapter 15 of the NPPF.

Drainage:

The site has not been identified as being at risk of flooding. The application form states that a soakaway will be used for surface water disposal. Since the building is to be erected on a rural site, a long distance from neighbouring dwellings or the adopted highway, this is not expected to present any technical problems and it is considered that no further details are required.

For foul drainage from the cattle shed, the application form clarifies that a straw based farmyard manure system will be used. This is also called a 'dry bed' system where used bedding is moved to a midden and spread on land when conditions and rules for farming allow. This would help prevent run off onto land, provided effluent run-off is collected and spread to land.

6 – Representations: No representations have been made except by Holme Valley Parish Council, whose support for the proposal is noted.

7. Conclusion: The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation – CONDITIONAL FULL PERMISSION

Decision Authorisation - Delegated Powers

Application Number: 2023/91063

Officer Recommendation: CONDITIONAL FULL PERMISSION

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP24 and LP54 of the Kirklees Local Plan and Policies 1, 2 and 12 of the Holme Valley Neighbourhood Development Plan.

3. The finish colour the roofing materials for the proposed extension shall match those used on the existing building.

Reason: In the interests of visual amenity, to ensure that the development respects the character of the landscape and to accord with the aims of LP24(a) and LP54(d) of the Kirklees Local Plan and Policies 1, 2 and 7 of the Holme Valley Neighbourhood Development Plan.

4. Before the proposed new extension is first brought into use, a minimum of one sparrow terrace made of Woodcrete or another durable weatherproof material shall be installed on the eastern or northern elevation of the proposed extension at eaves level and shall thereafter be retained as such.

Reason: To ensure that the proposed development delivers biodiversity net gain, in accordance with the aims of Policy LP30 of the Kirklees Local Plan, Policy 13 of the Holme Valley Neighbourhood Development Plan and Chapter 15 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			11-April-2023
Design and access statement			11-April-2023
Climate change statement			13-April-2023
Block Plan			11-April-2023
Location Plan			11-April-2023
Floor plan new building			11-April-2023
Floor plan extension			11-April-2023

Plan Type	Reference	Version	Date Received
Roof plan new building			11-April-2023
Elevations 1			11-April-2023
Elevations 2			11-April-2023
Elevations 3			11-April-2023
Elevations 4			01-May-2023
Elevations 5			11-April-2023
Elevations 6			11-April-2023

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The case officer requested an additional elevational drawing that was missing from the original submission but did not request any amendments as these were not deemed necessary.

Report Dated:

05-Jun-2023