

**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:	2023/62/93103/W
Site Address:	Moorfield Farm, Cartworth Moor Road, Cartworth Moor, Holmfirth, HD9 2QS
Description:	Extension and alterations to existing agricultural building and erection of new agricultural building
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 December 2023

Officer Report – 2023/93103

Moorfield Farm, Cartworth Moor Road, Cartworth Moor, Holmfirth

Site Description

The site comprises a walled compound within a farm holding in which there is an agricultural building. The lower part of the walls are in blockwork, with corrugated metal sheeting above, and the building has a small lean-to extension, with a lower roof, along its western edge. The wider setting is rural and open, with the farmhouse located a short distance to the south. The surrounding land slopes gently upward to the west.

Description of Proposal

The proposal is for the erection of:

1. A proposed new agricultural building near the north-western corner of the site, measuring approximately 9.8m by 18.8m, with a north-south orientation. It would be 4m in height to the eaves with a shallow double-pitched roof above, the walling materials to be blockwork or concrete panels to 1.2m with olive green sheeting above. This would replace an existing temporary container for which there is no record of planning permission having been obtained.
1. An extension to the western elevation of the existing building, building it out a further 3m to the north-west to a height of 3.5m and building a pitched roof over the new extension and existing lean-to over a further 7.8m forming an outshot structure the same height as the eaves of the main building. Materials are to be profiled sheeting, with concrete panels or blockwork making up the lower part of the walls.

The reason the development is required is to provide additional floor space to house livestock in order to comply with legal and animal welfare requirements. Specifically, it would provide the space to house ewes for a longer period before lambing, which in turn requires more bedding and feed, this in itself results in additional floorspace / storage space being required.

History of negotiations/amendments received

None.

Relevant Planning History

98/91443 – Re-use of existing barn and new extension to form one dwelling. Conditional full permission.

Representations

Final publicity date expires: 29-Nov-2023. Publicity was by site notice only, the reason being that there were no near neighbouring properties to be notified by individual letter. The publicity undertaken thereby complied with the Council's obligations under the Development Management Procedure Order.

Holme Valley Parish Council comments – no comments received within 21 day period.

No representations have been made by other third parties.

Consultation Responses

No consultations were deemed necessary for this application.

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).

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

It is considered that the scale and nature of the development does not raise access or Equality Act considerations.

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
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Supplementary Planning Documents:

- KC Highways Design Guide 2019
- Biodiversity Net Gain Technical Advice Note

- Climate Change Guidance for Planning Applications

These documents can also be viewed in [G:\Planning\SPDs & Guidance Notes](#).

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 where are

- 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 11 – Making effective use of land
- Chapter 6 – Building a strong, competitive economy
- 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
- 1) Impact on visual amenity (including any heritage considerations)
- 2) Impact on residential amenity
- 3) Impact on highway safety
- 4) Other matters – e.g. trees/ecology (e.g. bats)
- 5) Representations
- 6) 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.

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.

HVNDP has no policy relating solely or mainly to agricultural buildings, but Policy 7 may be deemed relevant. It 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 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: It is considered that the supporting information demonstrates that the building is genuinely required for the purposes of agriculture. There are no other buildings nearby that would appear to fulfil the purposes for which it is being sought. This means that part (a) of Policy LP54 is complied with. The location chosen for the new building is in close proximity to the existing agricultural building and existing dwelling. It is considered that the erection of a building in this location would not give rise to an excessively dispersed form of development. The new building would be visually subordinate to the main building, the extension would be on the upper side which is less prominent from the public highway, and as such would minimise impact on the Green Belt.

Design considerations and potential impact on residential amenity will be assessed later in this report. However, 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 that since there is a legitimate agricultural need for it, it would in principle support the aims of national Green

Belt policy as set out in the NPPF, and those of LP54(a-b) and Policy 7 of the HVNDP.

3 – Impact on visual amenity: The proposed design of the building, and the proposed palette of materials – concrete block or panels to the lower part of the walls, with profiled sheeting forming the upper part of the walls and the roof covering – are typical of agricultural buildings in this part of rural Kirklees. Whilst not the most traditional options available (Yorkshire boarding might be considered aesthetically preferable) it has the advantage of a relatively lightweight, impermanent appearance.

It is considered that the use of olive-green and cement fibre sheeting (for the new building and extension respectively) would fulfil the aim of using “neutral colours” and that no screening is necessary in this instance.

The development would not adversely affect long-distance views or cause other important features highlighted in the Landscape Character Assessment to be damaged or lost.

It is therefore considered that all aspects of the design and materials are acceptable from the point of view of visual amenity and would comply with the aims of LP54(d) and LP24(a) of the Local Plan and Policies 1&2 of the HVNDP.

4 – Impact on residential amenity: The nearest noise- or odour-sensitive receptor (i.e. a dwelling other than the applicant's) is approximately 250m away from the site. Owing to scale, and isolation, of the site, the case officer did not consult Environmental Health. It is considered that given the scale of the development this would be far enough away to avoid giving rise to adverse impacts on residential amenity by reason of noise, odours or other factors.

The site does not lie within or close to an area of land recorded as being potentially contaminated. Since farmyards may occasionally be subject to contamination, it is recommended – following the approach that has been used in similar applications of this type – that a precautionary condition be imposed concerning what should be done in the event of unexpected contamination being found.

In conclusion, it is considered that the development would not harming 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.

5 – 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 as it is not a material change of use, it would be unreasonable to require the applicant to undertake improvements to the access track.

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.

6 – Other matters:

Climate Change:

As the applicant's Climate Change Statement acknowledges, energy demand arising from everyday use is expected to be low. It is considered that the development does not need to incorporate specific measures to promote carbon reduction and would comply with the aims of LP24(d) and Policy 12 of the HVNDP.

Ecology:

The site is within the Twite buffer zone. It is not within the bat alert layer. It lies within the Impact Risk Zone of the Dark Peak SSSI but the requirement to consult Natural England only applies to livestock & poultry units with floorspace over 500sqm, which this is not.

It is considered that the development would not affect any land with high biodiversity value. The opportunity exists to deliver modest ecological enhancement.

It is considered that a proportionate measure would be the installation of two Sparrow Terrace (1SP Schwegler Sparrow Terrace or similar) on the eastern or northern elevation since this would be more sheltered than the western or southern elevations and would face towards the Wildlife Habitat Network and Valley Slopes Biodiversity Opportunity Zone which, although mainly grassland, contains more tree cover than the Mid-Altitudinal Grasslands that the application site occupies.

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.

6 – Representations: No representations have been made.

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: 2023/93103

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. Before the proposed building is first brought into use, two sparrow terraces made of Woodcrete or another durable weatherproof material shall be installed on the northern or eastern elevation of the building at eaves level. These 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			25-Oct-2023
Planning statement			25-Oct-2023
Location Plan	23/895/01		25-Oct-2023
Existing block plan	23/895/02		25-Oct-2023
Existing general arrangement	23/895/03		25-Oct-2023
Proposed block plan	23/895/04		25-Oct-2023
Proposed extension, plans and elevations	23/895/05	a	25-Oct-2023
Proposed new building, plans and elevations	23/895/06		25-Oct-2023
Climate Change Statement			25-Oct-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 did not request any amended plans or additional information as these were not considered necessary.

Report Dated:

04-Dec-2023