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Planning Development

Planning Supporting Statement:

Land adj. to Grange House, Grange Lane, Thunder Bridge, Huddersfield

Introduction

This planning statement accompanies a Prior Approval application for a building for agricultural on land adj. to Grange House, Grange Lane, Thunder Bridge, Huddersfield, HD8 0PU. The application site is located within the rural village of Thunder Bridge. The application site is accessed via a long lane leading from Grange Lane.

The application site comprises of an area of land measuring 7.9ha. The applicant uses the land for hay making. Once the hay has been harvested, the applicant allows sheep from an adjacent landowner to graze the land until its ready and needed for hay making again. The applicant produces approximately 140 large bales of hay a year and sells these for about £30 per bale. The applicant also makes around £400 per year from the sheep grazing.



Site for proposed development

Planning History

There is no planning history on the application site.

The Proposals

The proposed agricultural building would be located in a field to the west of Grange House. The building would measure 18 metres (l) by 9 metres (w). The building would have a shallow pitched roof with a maximum height of 4.9 metres.

The development would comprise of a steel clad metal framed building with a coursed natural stone plinth and metal sheet roofing with rooflights. A roller shutter door and a steel personnel door are proposed on the western elevation with a personnel door also proposed on the eastern elevation.

A permeable turning area is proposed at the western end of the building which would link to the existing gravel access track.

In the event the LPA determine that prior approval is needed, we would make the following submissions in relation to the siting, design and external appearance of the building:

Siting: The building would be located next to an existing track which links to Grange Lane making it easily accessible. The building would be sited 35 metres away from Grange House and as such there would no undue impact on residential amenity. Due to the topography of the land, the building would be constructed at a lower level to the adjacent track and would be built into the land making it appear less prominent. The field in which the building would be located is also bordered by trees, which would also help provide some screening.

Design: The building would comprise of a modern, agricultural building, typical of what would be found in the local area. The layout, scale, height, roof style and materials of construction, are all considered to be suitable for the rural location and proposed use. The turning area adjacent to the building would be no larger than is necessary and the proposed permeable surface would be both sympathetic to the rural location and good for drainage.

External appearance: The building would comprise of a steel clad metal frame and vertical metal cladding (RAL 6005 Moss Green) with a coursed natural stone plinth. The roof would be constructed using metal sheet roofing with rooflights. One roller shutter door and one personnel door are also proposed. The appearance of the building is considered to be suitable for its intended use and would be in keeping with the rural surroundings.

Permitted Development

This application is made under Class A, Schedule 2, Part 6 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended most recently by SI 2024 No. 579) which states that development is permitted for the following:

A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of -

(a) works for the erection, extension or alteration of a building; or

(b) any excavation or engineering operations,

which are reasonably necessary for the purposes of agriculture within that unit.

The reasons the proposal is considered to be permitted development are as follows, dealing with each of the restrictions / conditions in Class A in turn (responses in blue):

A.1 Development is not permitted by Class A if:

- (a) The development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;

The applicant's land comprises of 7.9ha as indicated on the accompanying image (Appendix A).

- (b) It would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;

No agricultural buildings on the application site have been converted under Class Q or Class S within the last 10 years.

- (c) It would consist of, or include, the erection, extension or alteration of a dwelling;

The proposals relate to the erection of a building for agricultural use, and the proposed plans of the building demonstrate this.

- (d) It would involve the provision of a building, structure or works not designed for agricultural purposes;

The proposed building would be used for the storage of hay bales and the storage of equipment including a tractor, a tillage spreader, a mover, a trailer and agricultural sprays. The building would allow the hay to be stored without the need to wrap it in plastic and would also protect the equipment for security purposes.

- (e) The ground area which would be covered by –

- (i) Any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations would exceed 1000 square metres; or
(ii) Any building erected or extended or altered by virtue of Class A, would exceed 1500 square metres calculated as described in paragraph D.1(2)(a) of this Part;

The proposed building would measure 162 square metres. In relation to paragraph D.1(2)(a) of this part, no other buildings, structures, works, plant, machinery, ponds or tanks within the same unit are being provided or have been provided within the preceding 2 years and would be within 90 metres of the proposed development.

The total ground area covered by any buildings calculated as described in paragraph D.1(2)(a) of this Part would therefore be less than 1500 square metres (162 square metres) and as such, the proposed development complies with criteria (e).

- (f) The height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;

NA. The proposed building would not be constructed within 3 kilometres of the perimeter of an aerodrome.

- (g) The height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;

The maximum height of the proposed building is 4.9 metres.

- (h) Any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

The closest road, Grange Lane, is approximately 90 metres away from the proposed development and this road is neither a trunk road nor a classified road.

- (i) It would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used, or to be used for the accommodation of livestock, or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;

The proposed building would be used for the storage of hay bales and for the storage of farm implements and machinery for security purposes. No livestock would be accommodated within the building.

- (j) It would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or

The application site is not located on article 2(4) land and the development is not connected to fish farming.

- (k) Any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system –

- (i) Would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or
(ii) Is or would be within 400 metres of the curtilage of a protected building.

NA. The proposed building would not be used for storing fuel or waste from a biomass boiler or an anaerobic digestion system.

Conditions

A.2 – Development is permitted by Class A subject to the following conditions:

- (1) NA
- (2) Subject to sub-paragraph (3), development consisting of –
- (a) The erection, extension or alteration of a building;

- (b) The formation or alteration of a private way;
- (c) The carrying out of excavations or the deposit of waste material (where the relevant area, as defined in paragraph D.1(4) of this Part exceeds 0.5 hectares) or
- (d) The placing or assembling of a tank in any waters,

Is permitted by Class A subject to the following conditions –

- (i) The developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building, the siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank, as the case may be;
- (ii) The application must be accompanied by a written description of the proposed development and the materials to be used and a plan indicating the site together with any fee required to be paid;
- (iii) The development must not begin before the occurrence of the one of the following –
 - (aa) The receipt by the applicant from the local authority of a written notice of their determination that such prior approval is not required;
 - (bb) Where the local planning authority give the applicant notice within 28 days following the date of receiving the applicant's application of their determination that such prior approval is required, the giving of such approval; or
 - (cc) The expiry of 28 days following the date on which the application under sub-paragraph 2(ii) was received by the local planning authority without the local planning authority making any determination as to whether such approval is required or notifying the applicant of their determination;
- (iv) Where the local planning authority give the applicant notice that such prior approval is required, the applicant must –
 - (aa) Display a site notice by site display on or near the land on which the proposed development is to be carried out, leaving the notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant; and
 - (bb) Where the site notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 21 days referred to in sub-paragraph (iv)(aa) has elapsed, the applicant is treated as having complied with the requirements of that sub-paragraph if the applicant has taken reasonable steps for the protection of the notice and, if need be, its replacement;
- (v) The development must, except to the extent that the local planning authority otherwise agree in writing, be carried out –
 - (aa) Where prior approval is required, in accordance with the details approved;
 - (bb) Where prior approval is not required, in accordance with the details submitted with the application;

(vi) The development must be carried out –

(aa) Where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given;

(bb) In any other case, within a period of 5 years from the date on which the local planning authority were given the information referred to in paragraph d(ii);

(3) NA

(4) NA

(5) Where development consists of works for the erection, significant extension or significant alteration of a building and –

(a) The use of the building or extension for the purposes of agriculture within the unit permanently ceases within 10 years from the date on which the development was substantially completed; and

(b) Planning permission has not been granted on an application, or has not been deemed to be granted under Part 3 of the Act, for development for purposes other than agriculture, within 3 years from the date on which the use of the building or extension for the purposes of agriculture within the unit permanently ceased,

then, unless the local planning authority have otherwise agreed in writing, the building, or in the case of development consisting of an extension, the extension, must be removed from the land and the land must, so far as is practicable, be restored to its condition before the development took place, or to such condition as may have been agreed in writing with the local planning authority and the developer.

(6) NA

(7) Where development is permitted by Class A(a), within 7 days on the date on which the development is substantially completed, the developer must notify the local planning authority in writing of that fact.

The above conditions are duly noted. This statement together with the application form (Notification for Prior Approval for the Erection of a Building for Agricultural Use), and the plans which accompany the application, contain all of the relevant information as requested above. Please note that the developer in this case, is the applicant Mr Stocks.

Conclusion

Based on fulfilling the above criteria, it is considered that the proposed development falls within permitted development rights for Part 6 Class A (building for agricultural use).

We therefore respectfully request that the LPA notify the applicant that prior approval is or is not required within the statutory 28 day period.

Please do not hesitate to contact us should you have any queries.

Robert Halstead Surveyors & Town Planners

July 2024