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20th December 2024

Kirklees Metropolitan Council,
Planning Services,
PO Box 1720,
Huddersfield,
HD1 9EL

Dear Sir / Madam,

FULL PLANNING APPLICATION – ERECTION OF AN AGRICULTURAL BUILDING
LAND NORTH OF ROCKWOOD EQUESTRIAN CENTRE, PAUL LANE, FLOCKTON MOOR, WF4 4BP

Introduction

On behalf of the applicant, Rockwood Equestrian Centre, we hereby submit a full planning application for the erection of an agricultural building at Rockwood Equestrian Centre, Paul Lane, Flockton Moor, WF4 4BP.

The full description of development is as follows:

"The erection of an agricultural building, a new internal road and yard, the re-grading of land, the provision of landscaping and associated works"

The below drawings and reports support this application:

- Ownership Certificate;
- Planning Application Fee (£2,960);
- This Planning Statement;
- Site Location Plan;
- Existing Block Plan;
- Proposed Block Plan;
- Proposed Floor Plans;
- Proposed Elevations;
- Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (Quants Environmental, October 2024);
- Arboricultural Impact Assessment (Quants Environmental, October 2024);
- Landscape Masterplan (fda Landscape, November 2024);
- Phase 1 Desk Study and Coal Mining Risk Assessment (Chevin Geoenviro Associated Ltd, September 2024).

The contents of this planning statement is as follows:

1. Site Location and Context
2. Proposed Development

1. SITE LOCATION AND CONTEXT

The Site is 0.428 hectares and is located north-east of the junction between Paul Lane (west) and Cockermouth Lane (south) in the village of Flockton Moor. The Site is approximately 8 km southeast of Huddersfield City Centre and the same distance from Wakefield City Centre.

The Site consists of a yard area which is levelled and enclosed with earth bunding and relatively dense vegetation. The Site includes a rectangular area of concrete hardstanding, two storage containers located within the north-eastern corner and a dilapidated lorry trailer situated along the eastern boundary. Beyond the Site's north, eastern and southern boundaries lies agricultural fields, and beyond the western boundary lies an unclassified woodland named 'Cock Hat Wood.'

The Site is currently being used as a storage area for farm machinery and agricultural vehicles as part of Rockwood Equestrian Centre. This use was established as per planning application 97/62/93223/E6.

Figure 1: Site Location Plan

2. PROPOSED DEVELOPMENT

Overview

The proposed development consists of the conversion of a plot of semi-brownfield land for the erection of an agricultural building. The building will be used for the purposes of the existing business, and will include a large storage area to be used for the housing of agricultural instruments and equipment. This building will not be used for habitable use.

This proposal will allow the applicant to formally and safely store vehicles within a locked building, rather than the existing situation, whereby machinery is left outside.

Design

The building has been designed for practical, agricultural purposes and therefore sensitive materials have been chosen to reflect the Site's rural context. The following external materials are proposed:

- Translucent corrugated roofing sheets,
- Plastic coated stainless steel sheeting (grey),
- Tanalised timber boards,
- Fair faced concrete blocks,
- Gravel for hard surfacing.

Please refer to Drawing '*Proposed Agricultural Building – Rev A'* for further information.

Scale and Character

The gross external floor area of the building is 817 sqm. The height of the building will be 5 metres, from ground level to the eaves of the building, and 7.482 metres from ground level to the top of the roof line. The building will not cause a detrimental impact on the surrounding area, due to the well enclosed nature of the Site, with no nearby sensitive receptors or viewpoints within the locality. The scale of the building is suitable and appropriate; achieving an appropriate balance of complimenting the rural locality, whilst still ensuring the building is suitable and practical for its agricultural use.

Please refer to Drawing '*Proposed Agricultural Building – Rev A'* for further information.

Access

Access to the building will remain from the single-track private road which directly connects to Paul Lane. A new internal road and yard is proposed, which will connect to the existing private road. The surfacing for the hardstanding will be gravel and therefore permeable surfacing.

Landscaping

Currently, the site offers minimal landscape benefit due to the existing semi-brownfield nature of the Site, which has lied redundant for quite some time and simply used for the storage of vehicles.

As a result of this development, a variety of grassland habitats will be created, incorporating species to attract locally important wildlife species and enhance the biodiversity of the site.

Existing banks will be re-graded to create shallower slopes for better establishment of new native shrub and wildflower grassland habitats and a woodland edge mix will be planted within the re-graded areas. Levels around existing trees will be retained, to protect the existing tree belts which surround the Site. Tree planting is also proposed in for form of eight trees.

Please refer to Landscape Drawing '*Landscape Details – R/2814/1A'* for further information.

Arboriculture

An Arboricultural Impact Assessment (AIA) supports this application and confirms that two trees are proposed for removal to facilitate the new building. These trees have been classified as

Category C due to low value in comparison to other trees on site. As per the Landscape Masterplan, substantial re-planting in the form of eight trees is also proposed, in addition to woodland edge mix planting and wildflower grass seed. An Arboricultural Method Statement will also be adhered to by the Contractor, to ensure that the retained trees are suitably protected with tree protection fencing during construction activities.

Ecology

No nationally or internationally protected nature conservation sites have been identified within 2 km of the site. Denby Grange Colliery Ponds SAC lies approximately 5.15 km east of the site. Based on the distances from nationally / internationally protected sites and the nature of the proposals, no significant impacts on nationally / internationally protected sites are predicted.

One Local Wildlife Site is present within 2 km of the site: Lepton Great Wood LWS approximately 1.73 km west-south-west of the site. Given the distance from the site and the nature of the proposals, no significant impacts on locally designated sites are predicted.

A Preliminary Ecological Appraisal supports this application which assessed the Site's ecological baseline following a survey which was conducted on 2nd October 2024.

All trees at the site were assessed as having negligible bat roost potential due to the absence of suitable roost features. In terms of foraging and commuting habitats, the site is assessed as providing moderate quality habitat for bats. Disturbance levels appear to be low and the site provides a combination of trees, woodland, tall forbs, scrub and rough grassland. There is therefore good habitat connectivity to off-site habitats including woodland to the west and north of the site.

In terms of birds, the site is not likely to support a notable assemblage of breeding or non-breeding birds.

In terms of amphibians, it has been recommended that presence/absence surveys for Great Crested Newts should be undertaken at the two identified off-site ponds during the optimal period of mid-March to mid-May.

In addition, the scheme proposes the installation of 1 bird nesting box and 1 bat roosting box. There is also good habitat connectivity to off-site habitats including woodland to the west and north of the site, therefore, in combination with the proposed landscape planting, we consider that the implementation of these features and as a result of this development, it would be a benefit to wildlife enhancements.

Biodiversity Net Gain

A Biodiversity Net Gain Assessment has been undertaken to support this proposal based on the Site Layout Plan. It is noted that the Assessment has not yet considered the draft Landscape Scheme. The Biodiversity Net Gain Assessment will therefore be updated following the approval of the Landscape Scheme and secured via a Planning Condition via a Biodiversity Net Gain Plan. Currently, we consider that net gain will be delivered off-site, within the applicant's surrounding landholding. However, on-site provision will of course be the priority, if possible.

Land Quality

A Phase 1 Desk Study Report and Coal Mining Risk Assessment (CMRA) supports this application.

The report concludes that the site has historically been used for reservoirs, and shallow mine workings could remain below the property. It is also possible that significant site made ground

may be present due to the bunding being present on site and the material used to backfill the former areas of the reservoir. Made ground and potential shallow mine workings are also considered to be potential sources of ground gas generation.

With the above in mind, contamination risk has been assessed, and risk to the future site users has been estimated to be moderate to low, and overall geotechnical risk from potential shallow mining below the site is considered to be medium.

A phase 2 site investigation is however recommended in order to assess the risks from any contaminated soils and explore the potential risk from any ground gases. This will be secured via a Planning Condition.

3. PLANNING HISTORY

The Site is subject to one planning application for the formation of a storage area for agricultural vehicles, perimeter bunds and the erection of security gates, as per application reference 97/62/93223/E6. This was approved in December 1997. The site is still operating under this use.

4. PLANNING POLICY

This section undertakes an appraisal of the Proposed Development in the context of the statutory planning policy framework, and any relevant material considerations.

Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that planning decisions be made in accordance with the adopted development plan unless material considerations indicate otherwise.

In the context of the above, the following formally adopted documents have been reviewed:

- National Planning Policy Framework (2023)
- Kirklees Local Plan (2019)

Outlined below are the key policies relevant to the consideration of the proposed development, accompanied with an explanation of how the proposal complies with them.

National Panning Policy Framework

Originally published in March 2012 and most recently revised in December 2023, the National Planning Policy Framework ("NPPF"), sets out the Government's planning policies for England, and is acknowledged as an essential material consideration.

At the centre of the NPPF, lies the predominant theme of sustainable development which are set out around three overarching interdependent objectives for the planning system as outlined in Chapter 2: building a strong, responsive and competitive economy; supporting robust, vibrant communities; and contributing to protecting and enhancing the natural, built and historic environment (Paragraphs 7-8). The NPPF requires that development proposals are approved, without delay, where they "*apply a presumption in favour of sustainable development*" and accord with NPPF policies (Paragraph 11).

Chapter 6 of the NPPF encourages planning policies and decisions to help create the conditions in which businesses can invest, expand and adapt, with significant weight to be placed on the need to support economic growth. Paragraph 85 states:

'The approach taken should allow each area to build on its strengths, counter any

weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.'

Chapter 11 of the NPPF encourages planning policies and decisions to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 123 states:

'Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.'

Paragraph 124 also states:

'Planning Policies and decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively'

Chapter 13 of the NPPF places great importance on protecting Green Belts and their openness and their permanence. Paragraph 154 regards construction of new buildings as inappropriate in the Green Belt, however, exceptions to this are buildings for agriculture and forestry. It is therefore considered that this proposal which delivers an economic, landscaping and biodiversity offering, demonstrates exceptional circumstances for the release of Green Belt land.

Kirklees Local Plan (2019)

Outlined within Table 1 below are the key policies relevant to the consideration of the proposed development, these proposals positively address all of these policy considerations.

Table 1: Planning Policy Review

Planning Policy	Policy Compliance
Policy LP1 – Presumption in favour of sustainable development	This Proposal is considered ancillary development, which will help diversify an existing rural business and sustainably redevelop and make better use of an existing storage site, thus contributing to development that improves the economic, social and environmental conditions of the locale.
Policy LP10 – Supporting the rural economy	This Policy supports the economic performance of the rural economy, including, supporting fam diversification schemes, where the proposal would not adversely affect the management and viability of any farm holding.
Policy LP21 – Highways and Access	This Policy requires new development to provide safe and sustainable access to the Site. This proposal does not propose a change to the Site access from Paul Lane. An internal gravel road and yard is proposed, and this will connect to the existing access

	road from Paul Lane. This will ensure the building is appropriately accessible. This development is associated with the storage of equipment, as per how it is already operating. The only difference is that the equipment will now be sited within a safe and secure building. Thus, the scheme will not create any additional traffic movements.
Policy LP54 – Buildings for agriculture and forestry	This Policy promotes new buildings for agriculture, provided that the building is (1) genuinely required for agriculture or forestry, (2) the building is closely sited in close association with other existing agricultural buildings, (3) there will be no detriment to the amenity of nearby resident by reason of noise or odour (4) and the design and materials should have regard to relevant design policies to ensure that the resultant development does not materially detract from its Green Belt setting. This development meets all of the above criteria.
Policy LP30 – Biodiversity & geodiversity	This Policy seeks to protect and enhance the biodiversity and geodiversity of Kirklees, including the range of international, national and locally designated wildlife and geological sites, Habitats and Species of Principal Importance and the Kirklees Wildlife Habitat Network. The site is semi-brownfield land, and as a result of this proposal, will offer a biodiversity net gain enhancement, either on or off-site. This will be confirmed via a Biodiversity Net Gain Plan and submitted as part of a planning condition attached to the consent. Additionally, the site is not considered to impact on nearby statutory or local designated wildlife sites.
Policy LP32 - Landscape	This Policy encourages proposals to take into account and seek to enhance the landscape character of the area. The Landscape Strategy supporting this application has taken this Policy into consideration, and in particular, the surrounding patterns of woodland, tree belts and field boundaries. The Site is bounded by landscaping bunding, and therefore, visual impact on

	the landscape is partly mitigated as a result of this. In addition, it is considered that this proposal would in turn enhance the landscape character and its setting, in comparison to the existing situation present on site. The proposals will allow machinery to be stored in a sensitively designed, rural building, offering visual permanence and containment to surrounding views.
Policy LP33 - Trees	This Policy does not allow the Council to grant planning permission for developments which directly or indirectly threaten trees or woodlands of significant amenity. Minimal tree removal is required as a result of development. Two trees are proposed for removal and both trees have been classified as Category C due to their low value in comparison to other trees on site. As per the Landscape Masterplan, substantial re-planting is proposed.
Policy LP59 – Brownfield sites in the Green Belt	This Policy supports proposals for infilling within existing brownfield sites or for their partial or complete redevelopment. The redevelopment of this Site does not result in the loss of land that is of high environmental value which cannot be mitigated or compensated for.

5. PLANNING REVIEW

In summary, the development is in line with the above national and local policies. The development utilises semi-brownfield hard standing, thus making efficient and proactive use of redundant land, that is already in storage use. Additionally, this development would expand an existing business, thus, supporting economic growth and productivity, taking into account both local business needs and wider opportunities for development and investment. The Scheme has also proposed a draft Landscape Scheme that can be adopted as a result of this consent, which will seek to enhance wildlife habitats and habitat connectivity to off-site habitats, as well as offer a biodiversity net gain, either on or off-site.

6. CONCLUSION

The proposed development complies with planning policy and there are significant benefits associated with it. The environmental and technical reports that form part of the planning application submission demonstrate that there would be no unacceptable environmental impacts, and there are a number of added benefits, including habitat creation, biodiversity gains and the bringing of a redundant, semi-brownfield site into efficient and more attractive use. These factors mean that the planning balance (and, in particular, when considered in the context of the tests under Section 38(6) Planning and Compulsory Purchase Act 2004) is weighted significantly in favour of the proposed development.

Please do not hesitate to get in touch if you have any queries. I look forward to hearing from you and working with Kirklees Council to achieve a positive planning consent for this Site.

Yours faithfully,

Phoebe Threlfall
Associate