

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:	2025/62/90102/W
Site Address:	Land Adjacent, 80, Long Lane, Honley, Holmfirth, HD9 6EB
Description:	Erection of equine structures
Recommending Officer:	Danielle Cooper

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.

John Holmes

AUTHORISED OFFICER

Date: 4th April 2025

Officer Report – 2025/90102 - Land Adjacent 80 Long Lane, Honley, Holmfirth, HD9 6EB

Site Description

The application site relates to an open field which is allocated as Green Belt land. The site is located adjacent to Long Lane and the nearest residential properties are located west of the application site.

The site is bounded by a low stone wall. A metal fence is present for access into the site.

A Public Right of Way runs through the site - HOL/25/60

Description of Development

The applicant is seeking permission for 2.no equine structures – Specifically the development consists of 2 stables, a small store and a hay store.

The equine structures will be used for personal use only.

The two stables measure 3.5m x 3.4m. The small store is 1.7m x 4.2m, and provides the required dry storage of shaving bales, other feed, wheelbarrow and muck scoop. The overall height of these buildings is 3m with eaves of 2.1m, and will feature a pitched roof form.

The hay store is 3.5m x 3.5m and is of a lower height to the stables structure, measuring 2m in height with a sloped roof form. This will be used for storage. The buildings are to be constructed from timber.

2 Horse Passports have been submitted as part of the application.

Part of the development also seeks to set back the gate from the highway, adjacent to Long Lane. Loose limestone has been placed down to provide parking for the applicant during the operation of opening and closing the gate.

New fencing has also been erected as shown on plan to enclose the parking & stable area.

History of Negotiations / Amendments Received

A revised block plan was submitted to show the erected fencing and relocation of the existing gate to provide a short stay parking.

Relevant Planning History

None.

Representations

The application has been publicised by neighbour letters, site notice and in the press. The publicity expiry date was the 28th March 2025. 6 representations have been received. 4 Letters of support and 2 letters of objection have been received.

The objections are summarised below:

- Visual concern of the proposed structure
- Structure and parking area will impact on the openness of the green belt
- The installed barbed wire fence is dangerous and unnecessary
- Public footpath is narrow
- Concern with the owner of the land
- Concern that the stables is being used as a commercial use and is not just used for the sole purpose of grazing
- Proposed development should require a change of use application
- Increased traffic generation which impacts the safety off road users
- Erection of structure before planning permission has been attained

The representations made in support of the application are summarised as follows:

- Proposal offers a welcomed addition to the local landscape
- Applicant has improved existing pathways
- Welcome the new hedges planted
- Stables are well maintained and area kept tidy
- The use of the stables is in keeping with the green belt character
- New parking area ensures road users safety

Holme Valley Parish Council – Support.

The third party representations are addressed within the ‘Assessment’ section of this report.

Consultation Responses

The following consultations have been undertaken for this application with the summarised responses listed below.

Highways – No objection subject to a condition relating to the use of the stables.

Public Right of Way – No response provided.

The responses of the above consultees are discussed in greater length within the ‘Assessment’ section of this report.

Allocation and Policy

The site is within the Green Belt as identified within the Kirklees Local Plan (adopted 2019), and falls within the Holme Valley Neighbourhood Development Plan Area falling within the associated landscape character area (LCA no.6) - Honley Village Centre. The site has a public right of way (ref: HOL/25/60) passing through the western part, in a north – south direction.

The following legislation, policy and guidance is considered relevant to the determination of this application:-

Kirklees Local Plan

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP3 Location of new development
- LP7 Efficient and effective use of land and buildings
- LP10 Supporting the Rural Economy
- LP21 Highway and Access
- LP22 Parking
- LP24 Design
- LP30 Biodiversity and Geodiversity
- LP32 Landscape
- LP33 Trees
- LP52 Protection and Improvement of Environmental Quality
- LP56 Facilities for outdoor sport, outdoor recreation and cemeteries

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2023, 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.

- Chapter2 Achieving sustainable development
- Chapter6 Building a strong, competitive economy
- Chapter9 Promoting sustainable transport
- Chapter11 Making effective use of land
- Chapter12 Achieving well-designed & beautiful places
- Chapter13 Protecting Green Belt land
- Chapter14 Meeting the challenge of climate change, flooding and coastal change
- Chapter15 Conserving and enhancing the natural environment

Supplementary Planning Documents / guidance

- Kirklees Highway Design Guide (adopted November 2019)
- The Biodiversity Net Gain Technical Advice Note

Holme Valley Neighbourhood Development Plan

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan. Policies within the plan relevant to the consideration of this application are listed as follows:-

- Policy 1 Protecting and Enhancing the Landscape Character of Holme Valley
- Policy 12 Promoting Sustainability
- Policy 13 Protecting Wildlife and Securing Biodiversity Net Gain

Legislation

The Town & Country Planning Act 1990 (as amended).
The Planning and Compulsory Purchase Act 2004.
Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise

Assessment

The following matters are considered in the assessment below –

1. Principle of development (including impact on the green Belt and visual amenity)
2. Impact upon residential amenity
3. Impact upon highway safety
4. Climate Change
5. Ecology
6. Public Right of Way
7. Representations
8. Conclusion

1 – Principle of Development (Including impact on the Green Belt and visual amenity):

The application site is located on land allocated as Green Belt on the Kirklees Local Plan (KLP). The application is for the erection of a stables for the personal use of the applicant.

NPPF paragraph 154 states that a local planning authority should regard the construction of new buildings in the green belt as inappropriate except for a limited number of specified exceptions, including criterion 'b) the provision of appropriate facilities, in connection with an existing use or a change of use, for outdoor sport or recreation, provided that the facility preserves the openness of the green belt and does not conflict with the purposes of including land within it'.

Local Plan policy LP56 (facilities for outdoor sport, outdoor recreation and cemeteries) supports NPPF paragraph 154, stating that proposals should ensure '(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, and, (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'.

In this case, stables with integrated stores (haystore and general storage in conjunction with the stable use) are considered an appropriate facility to support outdoor recreation in the green belt and may therefore be acceptable subject to assessment against openness and the purposes of including land in the green belt as well as the requirements of Policy LP56 of the Kirklees Local Plan.

The development is for 2 stables and associated storage and the scale is considered appropriate for the application site. The scheme therefore complies with LP56(a). Part of the development also involves the relocation of the existing gate, setting it back from the highway. New fencing has also been erected as shown on the submitted plans to enclose the parking and stable area.

Policy 1 of the Holme Valley Neighbourhood Development Plan sets out that development should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), in this case Honley Village Centre (LCA 6). Policy 2 of the Holme Valley Neighbourhood Development Plan states that new development should protect and enhance local built character and distinctiveness, strengthen the local sense of place by respecting the existing grain of development in the surrounding area, use local materials and detailing which add to the quality or character of the surrounding environment, respect the scale, mass, height and form of existing buildings in the locality and their setting.

The stables are located directly next to Long Lane and the site also serves a PROW (HOL/25/60) and as such is visible from public vantage points. As the structure is constructed from timber with profiled sheeting roofs, complying with paragraph 19.21 of the Local Plan, which states that proposals for the erection of stables in the green belt are generally acceptable where they are of timber construction, the LPA consider that on balance due to the design and materials in keeping with the rural character of the surrounding area, the development satisfactorily preserves the openness of the Green Belt. The

scale of the stables is also considered to be that which is reasonably required, with 2 horse passports being provided.

It is also noted that the access gate has been set back from the highway and new fencing has been erected to enclose the parking and stable area. Loose limestone has been placed down where the parking area is located. The new fencing and parking area is considered to be that which can be concluded as necessary for the operation of a site of this scale and is considered to be acceptable such that it preserves the character of the openness of the Green Belt. It is also noted that loose limestone has been laid down to the entrance area is not 'permanent' in appearance and has a lesser urbanising impact than tarmac.

Taking the above into consideration, it is considered the siting, scale and design of the stables preserves the openness of the belt and does not conflict with the purposes of including land within it, thus complying with paragraph 154 of the NPPF

In this case, the principle of development is considered acceptable, and in accordance with policies LP24 and LP56 of the Kirklees Local Plan, Policies 1 & 2 of the Holme Valley Neighbourhood Plan, and Chapters 12 and 13 of the National Planning Policy Framework. The development shall now be assessed against all other material planning considerations, as follows:

This conclusion is drawn on the basis of the use being on a non commercial basis, the commercial use of the site has the potential to increase activity to a degree that it leads to increased parking pressures, users of the site and general activity such that it would lead to an urbanizing impact over and above that which can be considered to be in keeping with the character of the site. A condition ensuring the use is not on a commercial basis is therefore recommended.

2 – Impact on residential amenity:

Sections B and C of LP24 state that development should: “maintain appropriate distances between buildings’ and ‘minimise impact on residential amenity of future and neighbouring occupiers”. Further to this, Chapter 12 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

Policy LP52 and Policy 2 of the Holme Valley Neighbourhood Development Plan sets out that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings and prevent or reduce pollution as a result of noise, odour, light and other causes. Light pollution should be minimised and security lighting must be appropriate, unobtrusive and energy efficient.

The development is approximately 73m from the nearest residential dwelling which is considered a sufficient separation distance to prevent any significant harm to residential amenity as a result of noise / odour resulting from the use.

In this case it is considered appropriate a condition is included requiring submission of a scheme of artificial lighting, should any be intended to be installed, to ensure the impact is not unnecessarily bright / numerous and is acceptable in relation to neighbouring occupiers.

The development is considered to result in no adverse impact upon the residential amenity of any surrounding neighbouring occupants, thereby complying with Policy LP24 of the Kirklees Local Plan (b), Policy 2 of the Holme Valley Neighbourhood Plan, as well as Chapter 12 of the NPPF.

3 – Impact on highway safety:

Turning to highway safety, Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact to highway safety and provide sufficient parking. Chapter 9 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The Highway Design Guide SPD is also relevant.

KC highways have been consulted and raise no objections to the proposed development.

Whilst no trip generation details have been provided, under the anticipated domestic use the trips to the site will generate, it will not have a serve impact on the operation or efficiency of the local highway network. The new parking area will also provide short stay parking which is off of the highway.

A condition will be included to ensure the site is used for personal purposes only and as such this will ensure there is minimal vehicular access required to the site.

A condition will also be implemented to ensure the proposed parking area as shown on the block plan is laid out in loose limestone and to ensure it is surfaced and drained so that surface water does not discharge or transfer onto the highway.

The LPA therefore consider that the development would not cause significant harm to the efficiency or safety of the highway, over and above the existing arrangements on site. The development therefore complies with Policy LP21 and LP22 of the Kirklees Local Plan, the aims of the Kirklees Highways Design Guide SPD and Chapter 9 of the National Planning Policy Framework.

4 – 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. The Local Plan predates the declaration of a climate emergency and the net zero carbon target. However, it includes a series of policies, which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The development has been constructed from timber which is considered to be of an appropriate material to help promote carbon reduction. As such, no further specific measures are required in terms of the planning application with regards to carbon emissions. The proposed development would therefore comply with Chapter 14 of the National Planning Policy Framework.

5 – Ecology:

In terms of Biodiversity Net Gain as set out by the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). As the development is retrospective and undertaken prior to April 2024 there is not considered to be a requirement for an assessment of BNG to be provided in respect of the aforementioned legislation as set out by The Biodiversity Gain Requirements (Exemptions) Regulations 2024.

However, the following policies are relevant:

Policy 13 (Protecting Wildlife and Securing Biodiversity Net Gain) of the Home Valley Neighbourhood Plan sets out that development proposals should demonstrate how biodiversity will be protected and enhanced including the local wildlife, ecological networks, designated Local Wildlife Sites and habitats.

Chapter 15 of the National Planning Policy Framework is relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

The Biodiversity Net Gain Technical Advice Note sets out that minor developments are subject to the mitigation hierarchy outlined within Chapter 2.2 and will still be required to demonstrate a net gain for biodiversity. Chapter

2.2 of the advice note details a mitigation hierarchy of avoid, mitigate, compensate, offset and finally enhance.

The applicant has planted a native mix hedgerow along the site boundaries as well as some trees to the south-west corner of the application site. As such, the LPA consider the development to enhance biodiversity to protect and enhance biodiversity for the above reasons, complying with local and national policy.

It is noted that the site is not located within a bat layer and it is therefore not considered necessary to have bat boxes installed to the stable structure.

6 – Public Right of Way:

Policy LP23 of the Kirklees Local Plan relates to cycling / walking network and sets out that proposals that may prejudice the function, continuity or implementation of the core walking and cycling network will not be permitted. This policy further states that existing public rights of way that form part of the core walking and cycling network or elsewhere will be protected and enhanced.

A Public Right of Way (HOL/25/60) runs through the site, along the west site boundary. The proposed stables are positioned in such a way that will not impede on the PROW and as such raises no concern. An informative note drawing the applicants attention to the fact the PROW must not be blocked or impeded at any time is recommended to be included upon any grant of permission.

7 – Representations:

The representations that have been received are summarised and addressed below:

Objections

- Visual concern of the proposed structure
- Structure and parking area will impact on the openness of the green belt

Officer comment: The proposed structure, parking area and fences are considered acceptable given the moderate nature of the development and as such is not considered to result in a significant unacceptable visual impact on the openness of the green belt character to warrant a refusal.

- The installed barbed wire fence is dangerous and unnecessary

Officer comment: The erected wire fencing is to enclose the site and will protect the horses. As such the fence is considered acceptable.

- Public footpath is narrow

Officer comment: The existing PROW remains in good condition and therefore raises no concern.

- Concern with the owner of the land

Officer comment: This is not a material planning consideration, however it is advised that these civil matters are discussed with the applicant direct.

- Concern that the stables is being used as a commercial use and is not just used for the sole purpose of grazing

Officer comment: A condition will be implemented to ensure the use of the stables remains in private/personal use of the applicant only.

- Proposed development should require a change of use application

Officer comment: The proposed use of the structure is for personal use of the applicant for 2 horses and as such does not require a change of use application.

- Increased traffic generation which impacts the safety off road users

Officer comment: KC Highways has reviewed the development and has raised no concern to increased traffic generation over above the existing situation.

- Erection of structure before planning permission has been attained

Officer comment: The Town and Country Planning Act 1990 (as amended) does not prohibit works to be undertaken without planning permission first being gained (where there is a need to gain such permission) and permits for applications to be submitted retrospectively.

Supporting comments

- Proposal offers a welcomed addition to the local landscape
- Applicant has improved existing pathways
- Welcome the new hedges planted
- Stables are well maintained and area kept tidy
- The use of the stables is in keeping with the green belt character
- New parking area ensures road users safety

Officer comment: The above comments are noted and taken into account in relation to the consideration of this application insofar as it relates to visual amenity and highway safety matters.

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, the proposed development would constitute sustainable development and is therefore recommended for approval.

Recommendation

APPROVE

Decision Authorisation: Delegated Powers

Application Number: 2025/90102

Officer Recommendation: Approve

Conditions

1. 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 LP1, LP2, LP21, LP22, LP24, LP30, LP51, LP52 and LP56 of the Kirklees Local Plan, policies 1, 12 and 13 of the Holme Valley Neighbourhood Development Plan and the policies within Chapters 2, 6, 9, 11, 12, 13, 14 and 15 of the National Planning Policy Framework.
2. The stable block hereby approved shall be used solely for private, non-commercial use.
Reason: In the interests of highway safety and to avoid causing harm to the visual and open character of the Green Belt as a result of increased vehicular traffic visiting the site and associated activities, in accordance with Policies LP21 and LP56 of the Kirklees Local Plan, as well as Chapter 13 of the National Planning Policy Framework.
3. Within three months of the date of this decision the approved parking area as shown on the proposed block plan ref: '04a' received on 27/03/2025, shall be fully laid out from loose limestone gravel, surfaced and drained such that surface water does not discharge or transfer onto the highway. The parking area shall not be used for any other purpose thereafter.
Reason: To ensure the free and safe use of the highway, in a in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, as well as Chapter 9 of the National Planning Policy Framework.
4. No external artificial lighting shall be erected within the site, unless and until details of size, location, orientation, lighting level and any associated fixing apparatus have first been submitted to and agreed in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details and maintained whilst ever it remains in situ.

Reason: In the interests of visual and residential amenity to accord with policy LP24 and LP52 of the Kirklees Local Plan and the policies contained within chapters 12 and 15 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	01		21/01/2025
Proposed Block Plan	04a		27/03/2025
Existing Plans & Elevations	03		21/01/2025
Planning Statement			21/01/2025
Climate Change Statement			21/01/2025

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 2024 and otherwise actively engaged with the applicant in dealing with the application.

Report Dated:

01/04/2025

Coal – low