

**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:	2025/62/90278/W
Site Address:	Westroyd Farm, Fulstone, White Ley Bank, New Mill, Holmfirth, HD9 7DL
Description:	Erection of stable block (within a Conservation Area)
Recommending Officer:	Danielle Cooper

DECISION – Full Conditional 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.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 6-MAY-2025

Officer Report – 2025/90278 - Westroyd Farm, Fulstone, White Ley Bank, New Mill, Holmfirth, HD9 7DL

Site Description

The application site relates to the erection of a stable block which is located within an open field and is allocated as Green Belt. The site is within the curtilage of the residential building, Westroyd Farm which is a Grade II listed building. The site is located within Fulstone Conservation Area.

The site is bounded by a low stone wall and shrubbery.

The site comprises of 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.

Access into the site is via a private gate.

Description of Proposal

The application is seeking planning permission to construct a stable block, which will feature 3 stable blocks, a bale store, a tack and wash room, and a dry feed room.

The proposed stable block has a width of 12m and length of 10.5m. The overall height of the building will be 5.1m and eaves of 3.4m. The stable will be constructed from Yorkshire boarding timber cladding with a profiled steel roof.

Solar panels are proposed to the roof top of the stables.

A new gravel hard standing is proposed from the existing hard standing to the stables as shown on plan.

New mixed scrub planting is proposed to the side and rear of the building.

History of Negotiations / Amendments Received

The case officer raised concern in regard to the scale and materials of the proposed stables are originally submitted. The applicant reduced the scale and mass of the stables and revised the material palette. The revised scheme and justification provided was considered to overcome the initial concerns.

The amended scheme has not be subject to publicity due to the reduced scale of the proposal. No neighbours/consultees were prejudiced by this and all comments originally submitted have been taken into account.

Relevant Planning History

2024/20309 Pre application for stables – Advice provided. Stables with a modest tack room/store that would be constructed timber could be considered acceptable.

2016/93924 - Listed Building Consent for change of use of land to domestic for erection of two storey and link extension (within a Conservation Area) – Approved (Submitted block plans show extent of hardstanding)

2015/92006 - Erection of extension and alterations to store/workshop to form living accommodation and change of use of land to extend garden (Listed Building within a Conservation Area) – Approved (Submitted block plans show extent of hardstanding)

Representations

The application has been publicised by neighbour letters, site notice and a press advert. The publicity expiry date was the 19th April 2025.

5 representations have been received at the time of writing this report.

The objections have been summarised and will be addressed within the report below:

- Disproportionate and incongruous development within the setting of historic buildings.
- Inappropriate development within the Green Belt.
- Design does not complement the historic and rural style of the area.
- Stables will impact on the openness of the Green Belt setting.
- The stables has a poor internal layout.
- Screening is an anathema to the principal of Green Belt.
- Concern the stables would be used for recreational purposes.
- Stables are not an agricultural or equestrian structure
- No provision for waste.
- Concern of odours/flies.
- Storage unit, increased hardstanding and gate within the Green Belt which is unauthorised.
- Concern of additional traffic congestion
- Entrance to the site is dangerous due to gate and blind bend.
- Field is too small to graze 3 pony's.
- Unauthorised operations occurring by the applicant.
- Concern the applicant will not implement the scheme as submitted on plan.
- No mention to the welfare of the horses.
- Concern to the increased hardstanding as a result of the proposal.
- No very special circumstances provided.

Only material planning considerations will be assessed. Concern relating to the conduct of the applicant is not a material planning consideration and will therefore not be assessed.

Consultation Responses

Conservation and design – No response.

Officer comment: Whilst no response has been received under this planning application, a thorough response was received via the pre-application enquiry which provided relevant background and supplementary information.

Highways – No response

Ecology - The Preliminary Ecological Appraisal (PEA) is reasonable and acceptable. The onsite element of the Biodiversity Net Gain (BNG) proposal will not result in significant onsite gain as it would be delivered by 0.09 habitat units of low to medium distinction. This does therefore not need to be secured for 30 years but could be secured by a simple landscaping condition, if appropriate.

Officer comment: The Local Planning Authority (LPA) do not consider it appropriate to attach a landscaping condition as the increased vegetation on site is contained within the submitted block plan and further gain will be managed by separate biodiversity net gain legislation.

Holme Valley Parish Council – No comment, defer to Kirklees officers

Allocation and Policy

The application site is located within the Green Belt, a Conservation Area and is located adjacent a Grade II listed building.

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
- LP6 - Safeguarded land
- 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
- LP35 - Historic Environment
- LP52 - Protection and Improvement of Environmental Quality
- LP56 - Facilities for outdoor sport, outdoor recreation and cemeteries

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 3 Conserving and Enhancing Local Heritage Assets
- Policy 10 Protecting Local Green Space
- 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 December 2024, 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 2 - Achieving sustainable development
- Chapter 6 - Building a strong, competitive economy
- Chapter 9 - Promoting sustainable transport
- Chapter 11 - Making effective use of land
- Chapter 12 - Achieving well-designed & beautiful places
- Chapter 13 - Protecting Green Belt land
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 - Conserving and enhancing the natural environment
- Chapter 16 - Conserving and enhancing the historic environment

Supplementary Planning Documents / guidance

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

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. Representations
7. Conclusion

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

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, the purposes of including land in the green belt and Policy LP56.

The proposed development would be for 3 stables and associated storage rooms (dry feed, tack & wash and bale store) and the scale is considered appropriate for the application site. The scheme therefore complies with LP56(a). Part of the proposal also includes a new track access which will be laid in loose limestones.

Policy 1 of the Holme Valley Neighbourhood Development Plan sets out that development proposal should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), in this case Settled Slopes of the Holme Valley (LCA 8). 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 proposed structure will be located along the eastern boundary of the site, next to existing shrubbery/hedging. The stables building may be visible from certain vantage points along White Ley Bank, however the existing hedging along the eastern boundary is to be retained and as such will largely screen the proposed stable block. The LPA notes that the stable is of a somewhat large scale and size, however it has been reduced in scale since the original submission. The amended size of the structure is reasonably required for the proper functioning for the horses that will live on the site, which is for personal use of the applicant at Westroyd Farm. It is also noted that the stables will be 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 therefore consider that on balance due to the design and materials, which would be in keeping with the rural character of the surrounding area, the proposal will not cause any significant detriment to the openness of the Green Belt.

It is also noted that to access the stables from the existing hardstanding parking area, loose limestone will be laid down as shown on the submitted amended block plan. The use of loose limestone is not 'permanent' in appearance and has a lesser urbanising impact than tarmac. As such, the new track is considered to preserve the character and openness of the Green Belt.

Impact on heritage assets

The proposed stables are located within Fulstone Conservation Area and adjacent to a Grade II listed building at Westroyd Farm.

Section 66(2) of the Planning (Listed Buildings & Conservation Areas) Act (1990) states that for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (Listed Building & Conservation Areas) Act (1990) is mirrored in Policy LP35 of the Kirklees Local Plan and Chapter 16 of the National Planning Policy Framework.

Furthermore, LP35 states that: “*development proposals affecting a designated heritage asset...should preserve or enhance the significance of the asset. In cases likely to result in substantial harm or loss, development will only be permitted where it can be demonstrated that the proposals would bring substantial public benefits that clearly outweigh the harm.*”.

The proposed stable block is to be constructed from traditional rural materials and will be largely screened due to its position next to the existing shrubbery along the eastern site boundary. It is noted that the structure is of such a size and scale for the proper functioning of 3 horses that will live on site at the stables for the personal use of the applicant living at Westroyd Farm which is listed. The use of rural materials and considerable separation distance from the listed building is considered acceptable and would not cause substantial harm to the character and appearance to the setting of the listed building or Fulstone Conservation Area.

Solar panels are proposed on the roof of the stables. The LPA do not have any significant concern to the impact they would have on the character and appearance of the Green Belt, listed building or conservation area given the limited size and scale of the development.

Taking the above into consideration, it is considered the siting, scale and design of the proposed stables would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it, thus complying with paragraph 154 of the NPPF.

The principle of development is considered acceptable, and in accordance with the aims of Policies LP24, LP35 and LP56 of the Kirklees Local Plan, Policies 1 & 2 of the Holme Valley Neighbourhood Plan, and Chapters 12, 13 and 16 of the National Planning Policy Framework. The proposal shall now be assessed against all other material planning considerations, which will be addressed below.

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 proposed development is located approx. 18m from the nearest residential dwelling and will be largely screened. As such the sufficient separation distance prevents any significant harm to nearby residential amenity in regard to overbearing or overshadowing.

The concern of increased odour and flies has been raised by objectors. As the proposal is for 3 horses, the LPA do not consider the limited scale of the stables to be significant enough to warrant concern of increased odours that would warrant a refusal or require mitigation. It is also noted that the stables will be for personal use.

Due to the isolated location of the proposed structure which will be screened from neighbouring properties, it is not anticipated that the proposed solar panels will cause inappropriate glare.

However, in the event that planning permission be approved, it is recommended that a condition be attached to ensure the site is used for personal purposes only. This is considered necessary and reasonable to ensure there will be no increase in the use of the building and that it is limited to horses in the personal ownership of the host dwelling.

The proposal 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.

The existing access will be utilised and a new pathway of loose limestones will be constructed from the stables to the existing hardstanding. The LPA have no concern to highway safety given the modest operation of the stables which is of personal use.

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.

However, in the event that planning permission be approved, it is recommended that a condition be attached to ensure the site is used for personal purposes only. This is considered necessary and reasonable to ensure there is minimal vehicular access required to the site.

A condition will also be implemented to ensure the proposed pathway 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 proposed development would not cause significant harm to the efficiency or safety of the highways, over and above the existing arrangements on site. The proposed 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 proposal has been constructed from timber which is considered to be of an appropriate material to help promote carbon reduction. It is also noted that solar panels are proposed to the stable block. As such, no 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:

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.

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 proposed building. 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), a Biodiversity Net Gain (BNG) Strategy (Technical Note) was submitted. The summary of this document concludes that the development proposals will result in a net gain of biodiversity value for habitats comprising 0.09 habitat units (25.82%).

Under the legislation, a condition is in place by law. The biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990.

As such, it is not considered necessary for any further condition to be in place upon any grant of permission given the statutory requirements in relation to biodiversity and the fact that the provision of the measures set out in the submitted ecological assessment would meet the requirements of the aforementioned policy.

Therefore, the proposal is considered to be acceptable in regard to biodiversity / ecology.

7 – Representations:

The objections have been summarised and addressed below:

- Disproportionate and incongruous development within the setting of historic buildings.
- Inappropriate development within the Green Belt.
- Design does not complement the historic and rural style of the area.
- Stables will impact on the openness of the Green Belt setting.
- The stables has poor internal layout.

Officer comment: The proposed stable block is to be constructed from traditional rural materials (timber) and will be largely screened due to its position next to the existing shrubbery along the eastern site boundary, which will be retained. It is noted that the structure is of such a size and scale for the proper functioning of 3 horses that will live on site at the stables for the personal use of the applicant living at Westroyd Farm. The LPA consider that on balance due to the design and materials that the stable would be in

keeping with the rural character of the surrounding area and will not cause significant detrimental harm to the openness of the Green Belt or the character and appearance to the setting of the listed building or Fulstone Conservation Area.

- Screening is an anathema to the principal of Green Belt.

Officer comment: The officer acknowledges this comment, however the existing hedging/shrubbery is already in situ and is to be retained.

- Concern the stables would be used for recreational purposes.
- Stables are not an agricultural or equestrian structure

Officer comment: The applicant has confirmed that the stables will be used for personal use only. Nevertheless, in the event that planning permission be approved a condition is recommended to be attached to ensure the stables can only be used solely for private, non-commercial use.

- No provision for waste.
- Concern of odours/flies.

Officer comment: Given the modest scale of the proposed development, which will house 3 horses, it is not considered necessary for the applicant to provide details for waste and management of odours/flies.

- Storage unit, increased hardstanding and gate within the Green Belt which is unauthorised.

Officer comment: The proposed plans will see the removal of the storage unit. The proposed hardstanding is shown on previously approved planning applications for the site ref: 2015/92006 & 2016/93924, and as such does not raise concern. The proposed gate can be erected without planning permission.

- Concern of additional traffic congestion
- Entrance to the site is dangerous due to gate and blind bend.

Officer comment: As the proposed stables are for personal use of the applicant, there will not be any additional traffic congestion coming and going from the site. The site entrance is already in situ and does not raise highway safety concern.

- Field is too small to graze 3 pony's.

Officer comment: The application site is considered to be of sufficient size in order to house 3 horses.

- Unauthorised operations occurring with the host dwelling.

Officer comment: Planning Officers are unable to comment on such matters and any unauthorised works which are considered to have been undertaken should be reported to the Council's Enforcement Team.

- Concern the applicant will not implement the scheme as submitted on plan.

Officer comment: If the applicant implements any works contrary to an approved scheme, they could be subject to enforcement action. Any unauthorised works should be reported to the Council's Enforcement Team.

- No mention to the welfare of the horses.

Officer comment: This is not a material planning consideration and would be covered by bodies outside the planning system.

- Concern to the increased hardstanding as a result of the proposal.

Officer comment: The increased hardstanding area to access the stables from the existing driveway will be laid in loose limestone and as such is considered to have a minimal impact on the character and appearance of the openness of the Green Belt. This is due to the limestone not being permanent in appearance and having a lesser urbanising impact than tarmac.

- No very special circumstances provided.

Officer comment: The proposal complies with Kirklees Local Plan policy LP56 which facilitates outdoor sport, outdoor recreation and cemeteries within the Green Belt. As such no very special circumstances are necessary.

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: 2025/90278

Officer Recommendation: Approve

Conditions

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 (as amended).

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 LP1, LP2, LP21, LP22, LP24, LP30, LP51, LP52 and LP56 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. 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.

4. The approved pathway as shown on the proposed block plan ref: '24074D-03-P06' received on the 28/04/2025, shall be fully laid out from loose limestone gravel, surfaced and drained such that surface water does not discharge or transfer onto the highway. These areas 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.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	24057-01-P02		11/03/2025
Proposed site plan	24074D-03-P06		28/04/2025
General arrangement as proposed	24057-02-P04		14/04/2025
Biodiversity Net Gain Calculation v3			15/04/2025
v3 Biodiversity Metric - 23.07.2024			15/04/2025
PEA Preliminary Ecological Appraisal v2 11 April 2025			15/04/2025
BNG report			11/03/2025
Habitat			11/03/2025

Plan Type	Reference	Version	Date Received
Climate change statement			10/02/2025
Design and Access and Heritage statement			03/02/2025

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated:

30/04/2025