



PLANNING SUPPORT STATEMENT

DETAILED APPLICATION FOR THE ERECTION OF
A STORAGE BUILDING (FOR EQUIPMENT FOR
THE MAINTENANCE OF THE LAND AND HAY)

MOORHOUSE FARM,
MOORHOUSE LANE,
BIRKENSHAW,
BRADFORD,
BD11 2AY

MR AND MRS R LIGHT

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1.0 INTRODUCTION

The proposal which forms the subject of this planning application is for the erection of an building for the purposes storing machinery and equipment required for the upkeep and maintenance of the land as well as storing hay grown on the land at Moorhouse Farm, Moorehouse Lane, Birkenshaw.

The application site forms a longstanding equestrian site. The applicant was granted planning permission on appeal in July 2024 for the demolition of the existing equestrian buildings and to replace these with 8no dwellings (LPA ref 2023/62/93013/E and Appeal Ref APP/Z4718/W/24/3340904). Currently both machinery and equipment which is used in part for the maintenance of the wider land and hay grown on the land is stored within the existing buildings to be demolished as part of the planning permission.

Following the demolition of the equestrian buildings there will be no buildings associated with site which extends to some 42 acres. This will result in the applicant having to store machinery and produce externally which is a detriment to visual amenity as well as causing significant wastage of hay and weathering of the equipment. There is immediate and demonstrable need for the building to replace the buildings to be demolished. It is intended to commence with the residential permission shortly but in the meantime the applicant would be happy to enter into a S106 Legal Agreement tying the proposed building to the implementation of the housing scheme and demolition of the existing buildings.

The following supporting documents/information are submitted with the application:-

- (i) Full plans and details – Stamford Geomatic;
- (ii) Planning Support Statement – Townsend Planning Consultants;
- (iii) Biodiversity Net Gain Statement and Calculation – Liz Ecology;
- (iv) Coal Mining Risk Assessment – G and M Consulting; and
- (v) Plans showing agricultural land ownership of the holding.

It is considered that this statement, together with the accompanying plans and documents, clearly demonstrate to the Council that the proposal accords with national and local planning policy and, when judged against this and all material considerations, it is clearly the case that notwithstanding the site's green belt status planning permission should be granted.

This statement now proceeds to give details of the site, the proposal and background. Relevant Planning Policy and Central Government advice in the form of the National Planning Policy Framework is then outlined. The issues that the proposal raises including the Green Belt and the needs of the farming are then outlined.

It is considered that in the context of the Development Plan and all material considerations that planning permission should be forthcoming. Nevertheless, the applicants remain willing to discuss all aspects of the proposal.

2.0 BACKGROUND, THE SITE, PLANNING HISTORY AND THE PROPOSAL

2.1 The Site and Background

Moorhouse Farm is located off both Moorhouse Lane and Sowerby Cross Way and is a long established equestrian enterprise, with DIY livery stables, menage and equestrian storage buildings. Associated with the farm is 42 acres of land which is currently used for a mix of grazing and also growing hay. The large scale landholdings require regular maintenance. Currently both machinery and equipment which is used in part for the maintenance of the wider land and hay grown on the land is stored within the existing buildings at the site.

In July 2024, the applicant was granted planning permission at appeal for the demolition of the existing equestrian buildings and to replace these with 8no dwellings (LPA ref 2023/62/93013/E and Appeal Ref APP/Z4718/W/24/3340904). The applicant's and their business partners are in the process seeking to discharge the pre-commencement conditions attached to the consent which will be submitted to the Council shortly. Following discharge of conditions approval, the applicant intends to proceed with the demolition of buildings and begin the work on constructing the residential approval.

Upon the demolition of the buildings associated with the approved scheme, there will be no buildings associated with 42 acres site, for machine and hay storage. Storing the equipment externally will cause premature deterioration of equipment but also increase the opportunity for crime and will also be detrimental visually. Storing hay externally will also lead to unnecessary wastage during periods of wetter weather and also increase the opportunity to attract vermin.

There is a demonstrable and immediate need for the building to replace the existing facilities. As the applicant will require the building prior to the demolition of the equestrian buildings and structures. In this respect the applicant would be happy to enter into a legal agreement tying the building to the housing scheme and would be happy for to agree to a time limit of 9 months for demolition of the proposed building should the housing development not be implemented by the expiry of the permission for the housing scheme on 24th July 2027.

2.2 The Proposal

In terms location of the proposed storage building this will be located to the west of the existing livery yard and adjacent to the existing dog exercise area approved by the Council in 2024 (Ref APP/Z4718/W/24/3340904) which is away from existing and proposed housing to minimise visual impact.

In terms of the construction the proposed building is to be constructed in green plastic-coated steel sheets. It is considered that the proposed building is in keeping with the form and scale of modern agricultural buildings and will be both modest in scale will not be out of place in its setting. The building proposed will be 200m² and will be located on the edge of the existing field.

In terms of the scale of the building this has been dictated by the equipment which includes the following:-

- Tractor;
- Trailers (1) tipping (2) flat trailer including box for cattle transportation;
- Harrow;
- Roller;
- Hay turner;
- Hay turner for rowing up;
- Bale elevator;
- Mower;
- Flat eight bale lifter;
- Chain saw;
- Strimmer;
- Drills saws and assorted power tools; and
- Fencing equipment - including post hole borer.

Hay will also be stored in the building.

The building is required for demonstrable need for the storage of equipment and machinery for the maintenance of the land and the storage of hay.

3.0 PLANNING POLICY

By virtue of Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the planning authority must determine the planning application in accordance with the statutory development plan (insofar as it is material to the application), unless material considerations indicate otherwise. The NPPF also advises of a presumption in favour of development which accords with the development plan. The importance of the statutory development plan in the decision making process necessitates an examination of the relationship between the policies and proposals of the plan and government guidance.

3.1 Central Government Policy Advice

It is considered that the following central government policy advice in the form of the National Planning Policy Framework and retained Circulars are relevant to the consideration of this application.

3.1.1 The National Planning Policy Framework

The following are comments on the advice in the Framework which is considered to be relevant to the consideration of the proposal:

Para 2 of the 'Introduction' sets out that:

"Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise."

At Para 8 it states:

"Achieving sustainable development means that the planning system has clear overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a. An economic objective to help build a strong, responsive and competitive economy....*

- b. *A social objective to support strong, vibrant and healthy communities... with accessible services and open spaces that reflect current and future needs and support communities' health social and cultural wellbeing....*
- c. *An environmental objective to contribute to protecting and enhancing our natural built and historic environment...."*

Section 6 deals with 'Building a Strong Competitive Economy' and with regard to 'Supporting a Prosperous Rural Economy' at Para 88 it states:

"Planning policies and decisions should enable:

- a. *The sustainable growth and expansion of all types of businesses in rural areas both through conversion of existing buildings and well designed new buildings;*
- b. *The development and diversification of agricultural and other land based businesses;*
- c. *Sustainable rural tourism and leisure developments which respect the character of the countryside;*
- d. *The retention and development of accessible local services and community facilities such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship." (TPC underlining)*

It is considered that the proposal meets with this requirement.

Section 13 deals with Protecting Green Belt Land. Para 153 goes on to state:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the green belt, including harm to its openness. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm resulting from the proposal is clearly outweighed by other considerations."

Para 154 goes on to state that:-

"Development in the Green Belt is inappropriate unless one of the following exception applies:

- a) buildings for agriculture and forestry.
- b) the provision of appropriate facilities (in connection with the existing use of land or change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of the land within it"... (TPC underlining)

It is considered that that is the case in this instance that the construction of a new building for maintenance machinery and equipment and storage of hay is not inappropriate development as such no very special circumstances need to be demonstrated to justify the development.

3.2 Local Planning Policy

3.2.1 Kirklees Local Plan

The following policies are considered relevant to the consideration of this application:-

The Development Plan for the Kirklees District is the Kirklees Local Plan (2019). The site on the supporting proposals map is identified as being within the Green Belt.

The following policies are considered relevant to the consideration of this application:-

(i) Policy LP1 – Presumption in favour of sustainable development

The policy sets out that the presumption in favour of sustainable development. It sets out that proposals accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.

(ii) Policy LP10 – Supporting the rural economy

The policy seeks to improve the rural economy and sets out that amongst other requirements the policy sets out that where development is proposed in the Green Belt regard must be had to the relevant policies in the Local Plan and relevant national planning policy.

(iii) Policy LP24 – Design

The policy constitutes the general design policy for all developments. The proposals seek consent for a storage building which has been designed to assimilate into the landscape and is appropriate in a rural/urban fringe setting.

(iv) Policy LP54 – Buildings for agriculture and forestry

The policy relates to new buildings for agriculture and forestry.

- “a. the building is genuinely required for the purposes of agriculture or forestry;*
- b. the building can be sited in close association with other existing agricultural buildings, subject to the operational requirements of the holding it is intended to serve. Isolated new buildings will only be accepted exceptionally where there are clear and demonstrable reasons for an isolated location;*
- c. there will be no detriment to the amenity of nearby residents by reason of noise or odour or any other reason; and*
- d. 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”*

In relation to the proposals:-

- a) The building is required for storing both equipment for the maintenance of the land and hay grown on the land;
- b/c) The existing equestrian buildings on site will be demolished and will be replaced with new build residential development. There will be no buildings on site. The proposed location is located away from residential properties to minimise visual impact to protect amenity;
- d) The design and materials are agricultural style in green plastic coated profile sheets which are appropriate in a Green Belt setting.

It is considered that there is no conflict with development plan policy.

4.0 THE ISSUES

4.1 The Development Plan

The Development Plan is the starting point for the consideration of this application, as set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Quite clearly reference to the Development Plan, this refers applicants to national policy advice, the NPPF clearly supports the construction of such buildings for the proposed purpose. Therefore, it is considered that the proposal falls to be considered against the provisions of the NPPF.

It now falls for the matter to be considered in the light of all material considerations.

4.2 Other Material Considerations

The following are issues which it is considered are material considerations in respect of the determination of this application.

4.2.1 The Green Belt

This application seeks planning permission for a building for the storage of equipment and machinery in relation to the maintenance of the land and the storage of hay grown on the land. It is considered by reference to the NPPF that the proposals do not constitute “inappropriate development” in a Green Belt and, therefore, no “very special circumstances” need to be demonstrated to justify the development. The proposals have been carefully designed and located not to impact harmfully on the openness of the Green Belt.

4.2.2 Visual Impact

It is considered that the proposals have minimal visual impact on the wider area and the Green Belt. The location has been specifically chosen away from nearby housing to minimise impact. It is also identified that there is sporadic development in this part of the green belt, including agriculture equestrian, agricultural and residential. The buildings, therefore, wholly conform with the character of the area and will not be out of keeping.

4.2.3 Biodiversity Net Gain

A Biodiversity Net Gain report and metric is provided with the application.

4.2.4 Coal Mining Risk

A coal mining risk assessment is provided with the application and its recommendations can no doubt be dealt with via condition.

4.2.5 S106/Legal Agreement

At the time of the submission of the application, application for 8no dwellings (LPA ref 2023/62/93013/E and Appeal Ref APP/Z4718/W/24/3340904) which demolishes the existing equestrian buildings on site where equipment, machinery and hay are stored, has not been implemented, the applicant and their business partners are to submit discharge of pre-commencement conditions imminently. The applicant requires the construction of a building for the storage of the equipment, machinery and hay prior to the demolition of the buildings.

The applicant is happy to enter into a legal agreement with the Council that if the planning permission for the housing scheme is not implemented by the time the planning permission expires on the 24th July 2027 the application storage building the applicant will demolish the building within 9 months.

5.0 CONCLUSION

This application seeks the development of a storage building for the purposes of storing machinery for maintaining the 42 acres associated with the land and for storing hay grown on it. There is a demonstrable need for the building as upon demolition of the existing building in association with the residential permission for 8 dwellings (refs 2023/62/93013/E and APP/Z4718/W/24/3340904) there will no longer be any buildings for the purposes of storing equipment, machinery or hay.

It is considered by reference to planning policy (both national and local) that the proposals do not constitute “inappropriate development” in a Green Belt and, as such, no “very special circumstances” have to be demonstrated to justify the development.

The applicant is willing to enter into a legal agreement tying the building to the approved housing scheme and if the planning permission is not implemented prior to its expiry on the 24th July 2027. The application storage building will be demolished within 9 months.

The applicants remain willing to discuss all aspects of the proposal with the Council. Should any matters arise or further clarification be required, please do not hesitate to contact me.