

**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:	<b>2025/62/91736/W</b>
Site Address:	Long Ing Banks Farm, Long Ing Road, Hade Edge, Holmfirth, HD9 2TG
Description:	Erection of agricultural (livestock) building
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:** 21-Aug-2025

## **Officer Report**

### **Site Description**

The application site relates to a parcel of land at Long Ing Banks Farm, Holmfirth. There are existing agricultural buildings on the site, towards the north-west of the red line boundary. The site forms part of an agricultural holding approximately 6.52ha in size (owned by the applicant). The application site and surroundings are agricultural fields with some farmhouses. Residential properties are located to the East of the application site accessed off Dunford Road, Hade Edge (Abbey Court, Green Abbey & Abbey Close). It's important to note the topography of the application site, specifically the location of the proposed agricultural building is at a lower level.

The site is within the Green Belt and is adjacent public right of way (HOL/173/10).

The site is also located within the Holme Valley Neighbourhood Development Plan, character area LCA3 - Hade Edge Upland Pastures.

### **Description of Proposal**

The application is seeking planning permission for the erection of an agricultural (livestock) building.

The proposed building would measure 24.4m x 7.9m, providing a maximum internal space of 182m<sup>2</sup>. The building will have a pitched roof with an overall height of 5m with eaves of 4.2m.

The building will be constructed from concrete panels to the lower level and green juniper sheeting to the higher walls. The roof will be grey fibre cement or goosewing grey powder coated profiled steel sheets.

The proposed building will assist the requirements of the existing rural farm business. The proposed building will enable ease of handling, treatment and shearing along with lambing and overwintering during the harsh winters that the application site is exposed to. The proposed ground floor plan shows 42 lambing pens, in line with the code of recommendations for the welfare of sheep (DEFRA).

The existing access will be utilised, north of the red line boundary.

### **History of negotiations/amendments received**

The proposed block plan was revised to indicate how the site will be accessed. Sample materials were also provided via email.

### **Relevant Planning History**

None.

## **Publicity and Representations**

This application has been advertised by site notice and within the press. The publication expiry date is the 08/08/2025.

3 letters of objection have been received. The comments have been summarised below:

- The site is not a farm but a smallholding. A barn should therefore be located on a farm and not this location.
- Increased noise pollution from traffic and animals
- The development could attract more vermin
- The single track used to access the farm will be impacted by machinery brought to the site
- The structure will impede on view of neighbouring houses and walkers
- The design materials of the building are not in keeping with the green belt
- The scale and size of the proposal is not justified for the number of animals or storage of agricultural machinery
- Green belt setting should be protected
- The existing dry stone wall is not shown on the submitted plans
- The existing dry stone wall has been replaced with fencing which does not keep in character with the green belt setting.
- Neighbouring properties have not been notified of the application.
- No environmental impact assessment has been undertaken.
- The site is located near a reservoir

Holme Valley Parish Council – Support the proposal.

## **Consultation Responses**

KC Ecology – no objection.

## **Policy**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27<sup>th</sup> February 2019).

The site is located within a designated Green Belt on the Kirklees Local Plan.

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. The National Planning Policy Framework 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 pre-dates 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 under other matters.

#### **Kirklees Local Plan (LP):**

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 53** – Contaminated and unstable land
- **LP 54** – Building for agriculture and forestry in the Green Belt

#### **National Policies and Guidance:**

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12<sup>th</sup> December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The National Planning Policy Framework constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 2** – Achieving sustainable development
- **Chapter 9** – Promoting sustainable transport
- **Chapter 12** – Achieving well-designed and beautiful places
- **Chapter 13** – Protecting Green Belt Land
- **Chapter 15** – Conserving and enhancing the natural environment

#### **Holme Valley Neighbourhood Development Plan (2020-2031)**

The Holme Valley Neighbourhood Development Plan was adopted on 8th December 2021 and therefore forms part of the Development Plan. Policies most relevant to this application are listed below.

#### **Policy 1: Protecting and Enhancing the Landscape Character of Holme Valley.**

*“Overall, proposals should aim to make a positive contribution to the quality of the natural environment”.*

Policy 2: Protecting and Enhancing the Built Character of the Holme Valley and Promoting High Quality Design.

*“Proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers of land and buildings” and [proposals] “should protect and enhance local built character and distinctiveness and avoid any harm to heritage assets...”.*

Policy 7: Supporting Economic Activity

*“The proposal supports new business investment or the expansion of an existing business.”*

Policy 11: Improving Transport, Accessibility and Local Infrastructure.

*“New development...should provide off-road parking provision in line with Kirklees Local Plan Policy LP22 (Parking) and the Council’s latest guidance on highways design”.*

Policy 12: Promoting Sustainability.

*“All new buildings should aim to meet a high level of sustainable, design and construction and be optimised for energy efficiency, targeting zero carbon emissions”.*

**Assessment**

The following matters are considered in the assessment below –

- 1) Principle of development (including impact on Green Belt and visual amenity)
- 1) Impact on residential amenity
- 2) Impact on highway safety
- 3) Other matters
- 4) Representations
- 5) Conditions
- 6) Conclusion

1 – Principle of development (including impact on Green Belt and visual amenity):

*Sustainable development*

Policy LP1 of the Kirklees Local Plan states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in Chapter 2 of the National Planning Policy Framework. Policy LP2 sets out that, in order to protect and enhance the character of places, all development proposals

should seek to build on the opportunities and help address the challenges identified in the Local Plan.

### *Impact on the Green Belt*

The site is within the designated Green Belt on the Kirklees Local Plan. Therefore, the impact of the development on the Green Belt needs to be assessed.

The National Planning Policy Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The National Planning Policy Framework also identifies five purposes of the Green Belt. Paragraph 153 of the National Planning Policy Framework states that inappropriate development should not be approved “except in very special circumstances”.

Paragraph 154 of the National Planning Policy Framework set out that certain forms of development are exceptions to ‘inappropriate development’. Relevant to this application is sub-paragraph a which includes buildings for agriculture and forestry.

Policy LP54 of the Kirklees Local Plan is consistent with advice within the National Planning Policy Framework. Policy LP54 relates to the buildings for agriculture and forestry in the Green Belt. It states that these will normally be acceptable, provided that:

- a) the building is genuinely required for the purposes of agriculture or forestry;*
- a) 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;*
- b) there will be no detriment to the amenity of nearby residents by reason of noise or odour or any other reason; and*
- c) 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.”*

Policy 1 of the Holme Valley Neighbourhood Development Plan states that ‘all agricultural buildings in the Green Belt should comply with Kirklees Local Plan Policy LP54 and should have appropriate screening and landscaping. Buildings should use neutral colours and tones to reduce visual impact’.

In addition, Policy 1 also sets out that development proposals should demonstrate how they have been informed by the key characteristics of the Local Character Assessment (LCA), Hade Edge Upland Pastures (LCA3). Amongst other things LCA3 identifies key landscape characteristics such as, the open landscape which has long distance views of the settled corridor of

the River Holme and Kirklees District beyond, as well as local views of open water bodies such as Boshaw Whams and Holme Styes. A network of Public Rights of Way follows local lanes or field boundaries.

The submitted planning statement includes a justification as to how the development complies with LP54 and paragraph 154(a). Regarding LP54(a), the applicant has outlined that the building is required to provide additional space for farming activities of the rural farm business.

The proposed building will enable ease of handling, treatment and shearing along with lambing and overwintering during the harsh winters that the application site is exposed to. The proposed ground floor plan shows 42 lambing pens, in line with the code of recommendations for the welfare of sheep (DEFRA).

The building will predominantly be used to lamb and overwinter the ewes/spring lambs. Overwintering the sheep, at such an exposed location can be October – April (6 months of the year).

Some of the stock will continue to winter graze the land at Grange Moor and the other more local rented land. When close to lambing, the ewes will be brought back to the farm base to be more regularly checked on.

It is considered, based on the information provided above, that the applicant has demonstrated the building is genuinely required for the purposes of agriculture and therefore the scheme complies with LP54(a).

The proposed building is located in close proximity to existing agricultural buildings and near the farmhouses. The building is therefore sited in close association with other existing agricultural buildings and therefore complies with LP54(b).

With regard to LP54(c), as well as LP24(b), the nearest residential dwellings, No. 4 & 5 Abbey Court, are located approx. 69m to the East of the application site. Given the sufficient separation distance, along with the building being sited on a significantly lower land level to these properties, there are no concerns to their residential amenity. It is also noted that the building is not sited within close proximity to any other residential buildings and as such officers are satisfied that there would be no detrimental impacts on the residential amenities of the nearby residents. The proposal would therefore not cause significant harm to the amenity of nearby occupants in line with LP54(c).

With regard to LP54(d), as well as LP24(a), the proposed design and materials of the structure would be in keeping with the rural character of the site – concrete panels to the lower base with green juniper sheeting to the higher walls and grey sheeting for the roof, and is therefore would be in keeping with the rural setting and use of the proposed unit. The agent submitted sample photos of the materials via email and are considered visually acceptable.

## *Conclusion*

It is therefore considered that the proposed development would fall under exception a) of paragraph 154 of the NPPF and would comply with the requirements of LP54 of the Kirklees Local Plan and would be appropriate development in the green belt. The principle of development is therefore considered acceptable, and the scheme is considered to not cause harm to visual amenity, thus complying with Policy LP24(a) and LP54 of Kirklees Local Plan, Holme Valley Neighbourhood Development Plan Policy 1, and Chapters 12 and 13 of the National Planning Policy Framework.

### 2 – Impact on residential amenity:

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be set out, taking into account Policy LP24 (b), which sets out that proposals should promote good design by, amongst other things, providing a high standard of amenity for future and neighbouring occupiers.

Policy 2 of the HVNDP also states that proposals should be designed to minimise harmful impacts on general amenity for present and future occupiers.

As discussed in section 1, the nearest residential dwellings are at No. 4 & 5 Abbey Court, which are located approx. 69m to the East of the application site. Given the sufficient separation distance, along with the building being sited on a significantly lower land level to these properties, there are no concerns to their residential amenity. It is also noted that the building is not sited within close proximity to any other residential buildings.

In the event that planning permission be approved, an informative is recommended to be attached to make the applicant aware of the construction site working times which are controlled under separate legislation to ensure noise does not negatively impact on the amenity of nearby residents.

After assessing the above factors, officers consider that this proposal would not result in any significant adverse impact upon the residential amenity of any neighbours, thereby complying with Policies LP24, LP52 and LP54 of the Kirklees Local Plan and Paragraphs 135 (f) and 180 (e) of the National Planning Policy Framework.

### 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.

Policy 11 of the HVNDP states that new development should provide off-road parking provision in line with Kirklees Local Plan Policy LP22 (parking) and the Council's latest guidance on highways design.

The proposal would involve no changes to the access and no removal of parking areas as shown on the proposed block plan. The proposed agricultural building would accommodate lambs and as such it is not expected that any additional vehicle trips will occur on the highway during the operation of the site. If there were to be an intensification, officers consider this would not be to such a significant degree as to have a severe impact on the operation or efficiency of the local highway network. As such, officers consider the application to be acceptable on highways grounds.

Therefore, the scheme would not represent any additional harm in terms of highway safety and as such complies with Policies LP21 and LP22 of the Kirklees Local Plan, the guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

#### 4 – Other matters:

##### *Public Right of Way (PROW)*

A PROW HOL/173/10, is located adjacent the east side boundary. The proposed development is not considered to result in any obstruction or damage to the PROW and as such raises no concern.

##### *Contaminated land*

The proposed development is not situated on land identified as potentially contaminated; however, in the event that planning permission be approved, a condition is therefore recommended to be attached in relation to unexpected contamination, to protect construction workers during the build and any future site users. The development would comply with LP53 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

##### *Biodiversity*

Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission granted pursuant to an application submitted after 12 February 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The submitted application form outlines that the application falls under the de-minimis exemption as the existing building will be built on loose stones and no new hardstanding is proposed. Therefore, BNG is not required under this application. KC Ecology have also reviewed the proposed development and raise no comments.

The submitted information is therefore considered acceptable in terms of ecology and would comply with Policy LP30 of the Kirklees Local Plan.

### *Climate Change*

*On 12<sup>th</sup> 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 pre-dates 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.*

*Policy 12 of the HVNP sets out that all new buildings should aim to meet a high level of sustainable, design and construction and be optimised for energy efficiency, targeting zero carbon emissions.*

In this case, due to the nature of the proposal it is considered reasonable not to require the applicant to put forward any specific resilience measures. However the Climate Change Statement does state that the materials for the building will be locally sourced.

*There are no other matters for consideration.*

### 5 – Representations:

3 representations have been received. The comments have been addressed below:

- The site is not a farm but a smallholding. A barn should therefore be located on a farm and not this location.

*Officer comment: The submitted planning statement does note that the site is an agricultural holding. The location of the building is deemed acceptable as discussed within the principle of development section of this report, as it complies with the National Planning Policy Framework and the Kirklees Local Plan.*

- Increased noise pollution from traffic and animals
- Increase odours from the site
- The development could attract more vermin

*Officer comment: The nearest residential dwellings are at No. 4 & 5 Abbey Court, which are located approx. 69m to the East of the application site. Given the sufficient separation distance, along with the building being sited on a*

*significantly lower land level to these properties, there are no concerns to their residential amenity in regard to noise from traffic and animals as well as odours. It is not considered that the proposed building will result in increased vermin that would raise concern to neighbouring properties or the environment.*

- The single track used to access the farm will be impacted by machinery brought to the site

*Officer comment: The existing track into the site is used by existing farmhouses/small holding sites. It is not considered that any increase of machinery on this track will disrupt the existing access track.*

- The structure will impede on view of neighbouring houses and walkers
- The design materials of the building is not in keeping with the green belt
- Green belt setting should be protected

*Officer comment: The use and overall design and scale of the building is considered to be acceptable within this green belt setting as discussed within section 1 of this officer report as it does meet the requirements of chapter 13 of the National Planning Policy Framework and Policy LP54 of the Kirklees Local Plan.*

- The scale and size of the proposal is not justified for the number of animals or storage of agricultural machinery

*Officer comment: The planning statement submitted justifies the requirement of the agricultural building as discussed within the principle of development section of this report.*

- The existing dry-stone wall is not shown on the submitted plans
- The existing dry-stone wall has been replaced with fencing which does not keep in character with the green belt setting.

*Officer comment: It is not considered necessary to include the existing stone wall on plan. It is noted that fencing and wiring have been erected along the site boundary next to the existing track. However, the proposed fencing does not require planning permission given its modest height. The agent has also confirmed that the fencing and wiring was erected to stop dog attacks on the livestock on the site. It also considered that the proposed fencing and wiring, which is not close boarded, ensures the openness of the green belt setting is maintained.*

- Neighbouring properties have not been notified of the application.

*Officer comment: The application has been advertised in accordance with the statutory requirements, by site notice and within the local press. The application has therefore been appropriately advertised.*

- No environmental impact assessment has been undertaken.

*Officer comment: Whilst the site is located within a twite buffer zone, as these recordings were made in 2005, it is not considered necessary for the applicant to provide a preliminary ecological assessment. KC Ecology have also reviewed the application and have raised no objections to the proposal.*

- The site is located near a reservoir.

*Officer comment: The site is located approx. 300m from the site and as such raises no concern to flooding.*

Holme Valley Parish Council – Support the proposal.

*Officer comment: This comment is noted by officers.*

## 7 – Conclusion:

The National Planning Policy Framework has introduced a presumption in favour of sustainable development. The policies set out in the National Planning Policy Framework taken as a whole constitute the Government's view of what sustainable development means in practice.

As set out above, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and it is, therefore, recommended for approval.

## **Recommendation**

**Approve**

## **Decision Authorisation - Delegated Powers**

**Application Number:** 2025/91736

**Officer Recommendation:** Approve

## **Conditions and Reasons**

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.

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 to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP1, LP2, LP21, LP22, LP24, LP53 and LP54 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

3. The building hereby approved shall be constructed from Juniper green profiled steel cladding above concrete panels/blockwork to dwarf walls, with Grey Fibre Cement roof sheets or similar Goosewing grey profiled steel roof sheets, as shown within the sample email received on the 08/08/2025. These materials and colour finish shall be thereafter retained.

**Reason:** In the interests of visual amenity and to accord with Policies LP2 & LP24 of the Kirklees Local Plan and policies within Chapter 12 and 13 of the National Planning Policy Framework.

4. In the event that contamination, or the presence of coal not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Groundworks in the affected area shall not recommence until either (a) a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as that part of the site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

**Reason:** To ensure the safe occupation of the site, in accordance with Policy LP53 of the Kirklees Local Plan and paragraph nos. 196 and 197 of the National Planning Policy Framework.

**NOTE:** No construction related noise shall be audible beyond the site boundary outside the hours of:

- 07.30 to 18.30 hours Mondays to Fridays
- 08.00 to 13.00 hours Saturdays

With no construction related noise audible beyond the site boundary on Sundays or Bank/Public Holidays.

Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice

served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

**NOTE:** Public footpath HOL/173/10 should remain free and available to be used prior to, during or after development works. The Council's public rights of way unit may be contacted by telephone 01484 221000 and ask for Sharon Huddleston or via the email address [publicrightsofway@kirklees.gov.uk](mailto:publicrightsofway@kirklees.gov.uk)

**Plans and specifications schedule:**

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location Plan	25/1164/01		30/06/2025
Proposed Block Plan	25/1164/03a		08/08/2025
Proposed Plans and Elevations	25/1164/04		30/06/2025
Design and Access/Supporting Statement	2552 D 20 004		30/06/2025
Material sample email from agent			08/08/2025

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. The proposed block plan was revised to indicate where how the site will be accessed. Sample materials were also provided.

**Report Dated: 11/08/2025**

