



Upper Waterside Farm

DESIGN, ACCESS & JUSTIFICATION STATEMENT

MAY 2026

1.0 Introduction

The property is a detached stone built converted barn located in the rural hamlet of Upper Waterside farm, it is currently used a four bedroomed dwelling at first floor level and at ground floor level has a kitchen, lounge and sun room.

The proposal is to install 16 free standing ground mounted solar panels within the field attached to the dwelling to supply the electricity for the dwelling and battery storage. The dwelling currently has a sustainable ground source heat pump installed which runs the heating of the dwelling and the solar panels proposed will enhance the running of this unit and also provide electricity for the remaining house needs.

3.0 Access & Highways

The Access for the existing dwelling is off Royd Lane which provides access for The stables and the hamlet of properties know as Upper waterside farm.

4.0 Landscaping

The applicant is willing to discuss landscaping with the Local Authority Planning Department. However, boundaries have been shown as existing dry stone walling and native hedging to complement the rural nature of the site and are shown on the proposed site plan. (which forms part of the BNG requirement)

5.0 Design

This application seeks permission for the installation of ground mounted solar photovoltaic panels within land adjacent to the existing private residential dwelling which is located within the Green Belt.

The proposed development is intended solely to provide renewable electricity generation for the existing dwellinghouse and is directly associated with improving the property's environmental performance and reducing reliance on non-renewable energy sources and increasing its sustainability for the future. The dwelling already incorporates sustainable heating technology through the installation of a ground source heat pump, and the proposed solar panels forms part of an integrated low-carbon energy strategy for the property.

In the documentation provided by Environmental included within the application the proposal goes into the current energy use of the dwelling which is noted at 5,915.00 kwh per annum, the solar panels themselves are proposed to generate 8,028 kwh this gives the dwellings usage as from the renewable solar panels 62% self consumption and 38% export to the national grid. The proposal also allows for 10.6 kwh battery also for the use of the dwelling.

The proposal supports both national and local planning objectives relating to climate change mitigation, renewable energy generation, and improved energy efficiency in existing residential properties. The development would contribute towards reducing operational carbon emissions and supporting the transition to cleaner domestic energy infrastructure.

Need for Ground Mounted Panels

The principal dwelling has limited suitable roof space available for photovoltaic installation. Although roof mounted panels were considered in the first instance, the roof structure contains a significant number of large existing Velux rooflights on the side facing the most optimal position which substantially restrict the usable area available for solar panels and cannot provide the required space for the 16 solar panels.

The suggested position of the solar panels is strategically positioned by an existing telecommunications antenna and associated infrastructure and located within the corner of the field, in the least prominent part.

The adjacent field therefore represents the only practical and effective location for the proposed solar installation, in both its positioning being the least obtrusive and also positioning of the voltaic to capture as much of the sun's rays as possible.

Green Belt Considerations

The proposed solar panels are modest in scale, low in height, and would be a crucial part and ancillary use to the existing residential dwelling. The development would preserve the openness of the Green Belt due to its limited visual massing and relatively unobtrusive form due to the proposed siting being tucked behind the dog leg part of the field. The panels would not result in significant encroachment into the countryside nor materially alter the character of the wider landscape.

The proposal does not involve permanent built form comparable to conventional buildings and would remain reversible in nature. The siting adjacent to the existing dwelling and existing telecommunications infrastructure ensures the development remains closely associated with the established residential curtilage and existing utility features. The field is also being enhanced in its Biodiversity by the introduction of native hedging to the perimeter of the proposal and in time would shield the panels' impact.

Very special circumstances are considered to exist through the combined environmental benefits of renewable energy generation, the operational requirements of the existing ground source heat pump system, the lack of viable roof mounted alternatives, and the limited impact of the proposal on the openness and purposes of the Green Belt.

Accordingly, the proposal is considered to represent sustainable development and is respectfully submitted for approval.

6.0 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 27th February 2019) and the Holme Valley Neighbourhood Development Plan (adopted 8th December 2021).

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping

- LP24 – Design
- LP26 – Renewable and low carbon energy
- LP30 – Biodiversity & Geodiversity
- LP57 – Green Belt

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.

The site falls within Local Characteristic Area 5 – Netherthong Rural Fringe.

The policies from the Holme Valley Neighbourhood Development Plan that are relevant to this application are:

- Policy 1 – Protecting and enhancing the landscape character of Holme Valley
- Policy 2 – Protecting and enhancing the built character of the Holme Valley and promoting high quality design
- Policy 9 – Protecting and enhancing local community facilities
- 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, together with Circulars, Parliamentary 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 12 – Achieving Well-Designed 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*

We will look at both areas of Policy both Local and National to assess this applications suitability and acceptability and compliance with the outlined policies described above.

6.1 Local & NPPF Planning Policy.

A significant factor here is the site being within the green belt.

Like in many authorities around the Country, the relevant Green Belt policies within the Local Plan, as set out above, are a reflection of the requirements as set out in what is presently Chapter 13 of the NPPF

NPPF Section 13 paragraph 145 of the NPPF states the following with regards to development within the greenbelt:

145. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

(a) buildings for agriculture and forestry;

(b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as

Like in many authorities around the Country, the relevant Green Belt policies within the Local Plan, as set out above, are a reflection of the requirements as set out in what is presently Chapter 13 of the NPPF.

The NPPF is a significant material consideration, particularly when assessing and determining applications within the Green Belt and this application.

The following is set out for context.

Paragraph 152 of the NPPF states that ‘inappropriate development’ is, by definition, harmful to the Green Belt and should not be approved except in VSCs. Paragraph 153 goes on to require that when considering any planning application LPAs should ensure that substantial weight is given to any harm to the Green Belt, adding that VSCs 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.

As to bolster our argument further Paragraph 152 of the NPPF states that ‘inappropriate development’ is, by definition, harmful to the Green Belt and should not be approved except in VSCs. Paragraph 153 goes on to require that when considering any planning application LPAs should ensure that substantial weight is given to any harm to the Green Belt, adding that VSCs

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.

Chapter 14 encourages local planning authorities to take a positive stance on proposals for renewable or low-carbon energy. In assessing applications of this type, the most relevant policy in the Local Plan is LP26:

Renewable and low carbon energy proposals (excluding wind) will be supported and planning permission granted where the following criteria are met:

- a. the proposal would not have an unacceptable impact on landscape character and visual appearance of the local area, including the urban environment;
- b. the proposal would not have either individually or cumulatively an unacceptable impact on protected species, designated sites of importance for biodiversity or heritage assets;
- c. the statutory protection of any area would not be compromised by the development;
- d. any noise, odour, traffic or other impact of development is mitigated so as not to cause unacceptable detriment to local amenity;
- e. any significant adverse effects of the proposal are mitigated by wider environmental, social and economic benefits.

It is noted where the above criteria are met, that the council encourages dialogue with local residents promoting community renewable and low carbon energy schemes.

This scheme takes into account all of the above criteria and meets them all.

LP24 – Design

Design of the and site layout and landscaping will accord with the above policy in the following ways;

- The form scale and layout of the development are complimentary of the surrounding built environment and take into consideration orientation of surrounding properties.
- Sustainable construction methods including reclaimed and recyclable materials where appropriate.

LP26 – Renewable and low carbon energy

The proposal would provide on-site renewable electricity generation for an existing residential dwelling and directly supports national objectives set out within the NPPF to increase the use and supply of renewable and low carbon energy.

The development would significantly reduce reliance on grid supplied electricity derived from fossil fuels and would contribute towards reductions in carbon emissions associated with domestic energy consumption.

The proposal therefore delivers clear environmental benefits consistent with the Government's legally binding commitments to achieve net zero carbon emissions

LP30 – Biodiversity & Geodiversity

The site currently falls under the BNG requirements and has been designed to enhance its current biodiversity by more than 10%, the site is an agricultural field with livestock mainly sheep grazing and the proposal for BNG significantly improves the biodiversity of the site by the introduction of native hedging and enhanced grasslands biodiversity to the field.

It is noted that the NPPF may change the requirements for sites under 0.2 hectares which this site is only 0.1 hectares and that BNG will need to be-reassessed if this is the case, however it is still proposed to enhance that site with native planting and hedges.

NPPF Section 13 paragraph 160

160. When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

7.0 Material Considerations

Along with all of the factors discussed above in the NPPF and local planning policy there are the following material considerations to consider in determining the planning application:

7.1 Recent Planning permission for ground mounted solar panels.

The following applications that have been approved

2025/62/91016/W Fox House Farm, Moor Lane, Netherthong, Holmfirth, HD9 3UP, installation of ground mounted solar panels in the vicinity of a listed building within green belt.

8.0 Very Special Circumstances ('VSCs')

The proposed installation of 16 ground mounted solar photovoltaic panels within the Green Belt is considered to constitute appropriate development in support of renewable energy generation. However, insofar as the Local Planning Authority considers the proposal to represent inappropriate development, the following Very Special Circumstances are advanced in accordance with the National Planning Policy Framework (NPPF).

Individually and cumulatively, the following are considered to amount to clear VSCs here. The applicant has taken it upon themselves to, where appropriate, supply as much information as possible. Nevertheless, where any further information or clarity is required, then the LPA should as always not hesitate to reach out for further information and assistance.

1. Contribution to Renewable Energy and Climate Change Objectives

The proposal would provide on-site renewable electricity generation for an existing residential dwelling and directly supports national objectives set out within the NPPF to increase the use and supply of renewable and low carbon energy.

The development would significantly reduce reliance on grid supplied electricity derived from fossil fuels and would contribute towards reductions in carbon emissions associated with domestic energy consumption.

The proposal therefore delivers clear environmental benefits consistent with the Government's legally binding commitments to achieve net zero carbon emissions.

2. Integration with Existing Low Carbon Heating Infrastructure

The dwelling already benefits from a ground source heat pump system, representing a substantial investment in sustainable heating technology. Ground source heat pumps operate most efficiently when paired with renewable electricity generation.

The proposed solar panels are therefore not a standalone or speculative installation, but a necessary component of an integrated low-carbon energy strategy for the property. The panels would materially improve the operational efficiency and sustainability credentials of the existing heating system.

Without the proposed solar installation, the ground source heat pump would remain heavily dependent upon imported grid electricity, reducing the overall environmental benefit of the existing renewable heating infrastructure.

3. Export of renewable energy to the National grid.

In the documentation provided by Environmental included within the application the proposal goes into the current energy use of the dwelling which is noted at 5,915.00 kwh per annum, the solar panels themselves are proposed to generate 8,028 kwh this gives the dwellings usage as from the renewable solar panels 62% self consumption and 38% export to the national grid. The proposal also allows for 10.6 kwh battery also for the use of the dwelling. This not only benefits the dwelling itself but it is considered that the proposed panels will provide a wider benefit than just to the application property. In addition, the solar array will provide increased production of sustainable energy which will provide wider environmental benefits in the whole.

4. Lack of Viable Roof Mounted Alternative

Roof mounted solar panels were fully considered prior to submission of this application. However, the dwelling contains a significant number of Velux rooflights which substantially limit the available uninterrupted roof area required for an efficient solar array.

In addition, the roof layout and orientation, which given these physical constraints prevent the installation of a sufficient number of roof mounted panels capable of delivering the energy generation required to support the dwelling and associated ground source heat pump.

The proposed field adjacent to the dwelling is therefore the only practical and effective location available for the development.

5. Limited Impact on the Openness of the Green Belt

The proposal consists of only 16 low-profile solar panels positioned close to the existing residential property and adjacent infrastructure. The development would have minimal height, limited visual presence, and would not introduce substantial built form into the landscape.

The installation would preserve the essential openness and rural character of the Green Belt. The panels are lightweight, reversible, and could be removed without permanent impact upon the land.

Furthermore, the siting adjacent to existing development and telecommunications equipment ensures the proposal does not represent isolated encroachment into open countryside.

6. Absence of Harm to Green Belt Purposes

The proposal would not materially conflict with the five purposes of including land within the Green Belt as set out within the NPPF. In particular:

- It would not contribute to unrestricted urban sprawl;
- It would not result in neighbouring settlements merging;
- It would not encroach significantly into the countryside due to its limited scale and visual impact;
- It would not affect the setting or special character of any historic town; and
- It would not undermine urban regeneration objectives.

Conclusion

The applicant considers that the cumulative benefits of:

delivering renewable energy generation,
supporting an existing ground source heat pump system,
reducing carbon emissions,
the absence of viable roof mounted alternatives, and
the limited impact upon Green Belt openness,

clearly amount to Very Special Circumstances that outweigh any perceived harm to the Green Belt by reason of inappropriateness or any other harm.

The proposal therefore accords with the overarching sustainability objectives of the NPPF and should be supported accordingly.