

# Planning Statement

**ERECTION OF AN AGRICULTURAL BUILDING FOLLOWING  
DEMOLITION OF EXISTING AGRICULTURAL BUILDING**

**LAND AT WINDMILL LANE, HIGH FLATTS, HD8 8XU**

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## **1.0 INTRODUCTION**

This statement supports a planning application for the erection of a general-purpose agricultural building which will replace an existing building in the same use. The proposal is necessary for the functioning of a working agricultural unit and will be used to house straw and livestock. An area of hardstanding will be provided to the east of building and the existing access to the building will be covered in hardstanding. The site lies within the Green Belt and consists of an appropriate form of development in the Green Belt.

This statement should be read in conjunction with the submitted plans and technical reports which demonstrate the credentials of the scheme in more detail. It is anticipated the Local Planning Authority (LPA) will adopt a progressive approach to this sustainable scheme and approve planning permission without delay.

This statement now proceeds to give details of the site. The details of the proposal are then set out. The planning merits of the scheme are then discussed in relation to relevant planning policies contained in the statutory development plan, together with Government guidance principally set out in the National Planning Policy Framework (NPPF). Finally, the conclusion is reached that planning permission should be granted for the proposed development.

## **2.0 THE SITE AND PLANNING HISTORY**

The site is an existing agricultural field set back from the road served by an existing access road. The site is positioned within a rural landscape characterised by open agricultural fields and a dispersed pattern of development. The site is accessed from Windmill Lane, a rural road running in an east-west direction.

The boundary of the site with Windmill Lane is lined by a traditional dry-stone walling, typical of the local rural vernacular. A galvanised steel gate is positioned at the entrance. The wider landscape is largely open pasture and characterised by gently undulating topography. Numerous wind turbines are visible from the site and Windmill Lane. The planning history on the site relates to a wind turbine which was refused however this has no relevance to this application being of a completely different nature.

### **3.0 THE PROPOSAL**

The proposal seeks full planning permission for the erection of an agricultural building following demolition of an existing agricultural building.

The proposed building is a purpose-built agricultural structure designed for functional agricultural use. The building is rectangular in footprint with a standard portal frame construction, enclosed with profiled metal cladding in a dark green finish. The building would measure 25 metres by 10 metres. Part of the building would be enclosed with half providing a partly open shelter. The building covers an area of 250m<sup>2</sup>. The building would be low in height with a shallow pitched roof measuring 4.549 metres in height. The building would be positioned partly on site of the existing building. The building would be set back from the road by approximately 180 metres.

### **4.0 ALLOCATION AND POLICIES**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material

considerations indicate otherwise. In this instance the Development Plan consists of the Kirklees Local Plan adopted in 2019

Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) as updated in December 2024 and the suite of documents comprising National Planning Practice Guidance (NPPG).

### **Allocations**

The site is located within the open countryside, within the Green Belt and also within a mineral safeguarding area.

### **National Policy**

The NPPF is reflective of the guidance contained within the NPPG. The following sections of the revised NPPF are considered of direct relevance to the current proposal:

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 6 - Building a strong, competitive economy

Section 12 - Achieving well-designed places

Section 13 - Green Belts

Section 15 - Conserving and enhancing the natural environment

The overarching message of the NPPF is that LPAs should adopt a positive and pro-active approach to planning proposals, particularly those that result in sustainable development. LPAs should not place unnecessary burdens on developers and should look to support appropriate schemes such as this.

### **Kirklees Local Plan**

The relevant polices are considered to be:

LP1 Achieving Sustainable Development

LP7 Efficient and effective use of land and buildings

LP10 Supporting the Rural Economy

LP21 Highway and Access

LP24 Design

LP30 Biodiversity and Geodiversity

LP32 Landscape

LP52 Protection and Improvement of Environmental Quality

LP53 Contaminated and unstable land

LP54 Buildings for agriculture and forestry

### **Relevant Supplementary Planning Documents / guidance**

The Biodiversity Net Gain Technical Advice Note

## **5.0 ASSESSMENT**

### **Principle of Development**

The application site is located within land designated as Green Belt under the Kirklees Local Plan. Paragraph 154 of the National Planning Policy Framework (NPPF) identifies new buildings in the Green Belt as being inappropriate unless they fall within specific exceptions. Among these, paragraph 154(a) expressly permits buildings for the purposes of agriculture. Kirklees Local Plan Policy LP54, also states that new agricultural buildings will normally be acceptable the building is genuinely required for the purposes of agriculture.

The applicant is a long-established agricultural business engaged in a range of essential rural operations including:

- Rearing and breeding of cows and calves.
- Cutting and supplying hay for both on-site use and other agricultural holdings.
- Undertaking regular field maintenance to support agricultural productivity.
- Transporting agricultural products between farms.

The proposed development comprises the erection of a purpose-built agricultural building that will directly support and enhance these core activities. The structure is required to meet the evolving operational demands of the holding and will provide significant functional benefits, including:

- Increased height to accommodate modern agricultural machinery and facilitate efficient handling and storage of hay and straw.
- Expanded capacity to house a greater number of cattle, particularly during calving and winter months.
- Improved animal welfare by providing shelter from increasingly adverse weather conditions including high winds and heavy rainfall.
- Year-round grazing support, enabling livestock to access shelter directly from pasture, promoting health and productivity.
- Enhanced health and safety standards by creating a safe, controlled environment for veterinary procedures such as TB testing.

In this case, the building is demonstrably necessary to enable continued livestock operations and efficient fodder storage. It is integral to the ongoing viability of a working agricultural enterprise. The building is therefore genuinely required for the purposes of agriculture and is therefore acceptable in principle and full accords with national policy and comprises appropriate development in the Green Belt. Policy LP54 includes additional criteria b-d which are considered further in this report.

### **Visual Impact and impact upon the Green Belt**

Policy LP54 criteria b requires that the buildings should be sited in close association with other existing agricultural buildings, subject to the operational requirements of the holding it is intended to serve. Criteria d. states 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. Isolated new buildings will only be accepted exceptionally where there are clear and demonstrable reasons for an isolated location. National Policy does not include a requirement for buildings to be close to existing buildings.

In this case, however, the building is to replace an existing building so there would be no change in the established situation in respect of the building being isolated. Furthermore, the siting of the proposed agricultural building has been carefully considered in relation to the operational needs of the wider holding. Its location enables direct access to working land and avoids unnecessary movement of machinery and materials across the holding. The continued positioning the building in this location allows the applicant to continue operate efficiently across the unit without compromising field layouts or existing agricultural activities. As such it is considered that its isolated location can be justified.

The building is constructed using appropriate and durable materials typical of agricultural development, including profiled metal cladding in a green finish, ensuring it integrates effectively with the surrounding rural landscape. The considerable set back from the road, along with the natural topography of the surrounding fields, also ensure that the replacement building would not have an adverse effect upon the character of the countryside and the visual amenity of the Green Belt.

The proposal is fully compliant with policies L32 and L54 and the NPPF in this regard.

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## **Highways**

The proposed development will utilise the existing, established access point from Windmill Lane. This access currently serves the existing building and operations on the site. The increase in the size of building would not intensify the use of the access point and the proposal would not give rise to unacceptable highway impacts. The proposal is therefore acceptable in this respect. The proposal is considered fully compliant with all local and national policy in this respect.

## **Residential Amenity**

Policy LP54 and criteria B C requires that there will be no detriment to the amenity of nearby residents by reason of noise or odour or any other reason. This is in line with other policies in the plan and Section 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.

The proposed agricultural building is situated approximately 370 metres from the nearest residential property, ensuring there is no adverse impact on residential amenity. The building will be used in connection with ongoing agricultural operations that are already well established on the site. Given the significant separation distance, the nature of the use, and the rural context, there will be no issues arising in terms of noise, odour, or visual harm. The proposal has been carefully designed and positioned to operate discreetly within the agricultural landscape, without affecting the living conditions of nearby occupants. The proposal is considered fully compliant with all local and national policy in this respect.

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### **Ecology and Biodiversity Net Gain**

The Environment Act (2021) seeks to improve biodiversity through several means, including the introduction of a mandatory requirement for new developments to achieve a minimum of 10% biodiversity net gain.

The submitted Biodiversity Net Gain (BNG) assessment confirms that, under the current development proposal, the scheme would result in a net loss of -58.88% in area habitat units.

To address this, the applicant will deliver compensatory planting on-site through the introduction of 21 new native trees, in line with the recommendations of the BNG report. These trees will be planted in moderate condition and will be selected for their ecological value, contributing directly to the replacement of medium distinctiveness habitats lost as part of the proposal. This intervention will ensure compliance with the DEFRA Statutory Biodiversity Metric.

The planting strategy will enhance site biodiversity, support local wildlife, and maintain habitat connectivity in accordance with Policy LP30 of the Kirklees Local Plan and national biodiversity objectives. The proposed tree planting will be managed in line with a long-term maintenance plan to secure the ecological value of the site for a minimum of 30 years, as required.

As such, the proposal is considered compliant with the Biodiversity Net Gain requirements, ensuring the development achieves not only no net loss, but a measurable and policy-compliant enhancement to local biodiversity.

### **Ground Conditions and Coal Mining Risk**

The application site lies within a Development High Risk Area, as defined by the Coal Authority. A detailed Coal Mining Risk Assessment (CMRA) has been prepared by RB Geotechnical, confirming that while there are no recorded shallow mine workings directly beneath the site and no mine entries within 20 metres, the location of nearby worked coal seams presents a potential risk of unrecorded shallow workings.

To address this, the applicant is committed to undertaking the recommended ground investigations, including the drilling of three rotary open-hole boreholes to a depth of 25 metres. These works are intended to confirm the presence or absence of any mine workings and ensure the ground conditions are suitable for development. Any necessary permissions from the Coal Authority will be obtained in advance of such investigations.

It is considered that these intrusive investigations, and any mitigation arising from them, can be appropriately secured by way of a planning condition. This approach reflects established practice in areas of former coal mining activity and ensures that all potential risks are fully assessed and addressed prior to the commencement of development.

The proposal therefore complies with the requirements of the National Planning Policy Framework and policy LP53 Contaminated and unstable land demonstrating that the site can be made safe and stable for its intended use through proportionate, precautionary measures secured as part of the planning process.

### **Mineral Safeguarding**

The site lies within a designated Mineral Safeguarding Area as defined by Policy LP38 of the Kirklees Local Plan. The proposal would replace an existing building. The scale and nature of the development falls within the scope of minor development, which is explicitly excluded from the safeguarding requirement under section 2(c) of Policy LP38. As such, the proposal is not considered to conflict with the aims of mineral safeguarding, and no further assessment is required in this regard.

## **6.0 CONCLUSION**

The proposal seeks consent for a new agricultural building that is essential to the continued operation and modernisation of an active livestock and land management enterprise. The building will support key functions including the safe housing of cattle, secure storage of hay and straw, accommodation of larger agricultural machinery, and improved conditions for animal welfare and farm safety throughout the year.

Although located within the Green Belt, the development is fully supported by paragraph 154 of the National Planning Policy Framework and Kirklees Local Plan Policy LP54, both of which allow for new agricultural buildings. The siting of the building would be in place of an existing building, and the form, scale, and materials are in keeping with the rural context, ensuring no harm to the openness or visual qualities of the Green Belt.

To address biodiversity requirements, the scheme incorporates the planting of 21 new trees in moderate condition to deliver a measurable and policy-compliant net gain. In terms of land stability, a Coal Mining Risk Assessment has been prepared confirming the potential for shallow unrecorded workings. The necessary site investigations can be secured by condition

in accordance with Local Plan Policy LP53, ensuring the development will be safe and suitable for its intended use.

The proposal reflects an appropriate and justified form of rural development that supports local agriculture and complies with adopted planning policy. Approval is therefore respectfully requested.

The Applicant is willing to discuss any issues that may arise during the consideration of the proposal with the LPA.