Supporting Planning Statement

Proposed agricultural building (retrospective)

Top Ashlea, Briestfield Road, Briestfield, Dewsbury

Date: Aug 25

Reference: TP4525

1.0 Introduction

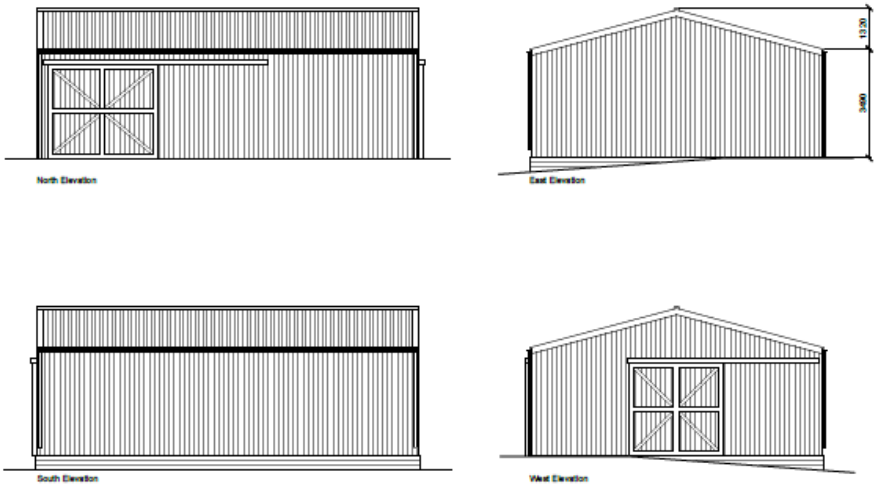
1.1 By way of background, the agricultural building, the subject of this planning application, was constructed in July 2021. The applicant presumed that, as it was being used for agricultural purposes, it did not require planning permission. Whilst it has been on site for over four years, and used for agricultural purposes, the applicant has recently received (and returned) a PCN. As a precursor to a potential enforcement notice we would question expediency given it has been here for over four years. This planning application seeks to regularise the matter.

2.0 Proposed development

2.1 Full plans of the building are provided by Martin Walsh Architectural. The agricultural building was erected on site in July 2021 and was built to assist the applicant's brother, Stephen Holroyd of Poplar Farm, Edge Road, Thornhill, Dewsbury WF12 0QG. Poplar Farm has approximately 100 acres with 50 dairy cattle and 75 beef cattle. The farm is leasehold from Savile Estates. Agricultural Holding Reference 1102145475 – J.S Holroyd and Sons. The relationship between Steven Olroyd (Poplar Farm) is that he is the brother of Lucy Rawlinson and the brother in-law of Steven Rawlinson.

Site Plan

Suite 6, Firth Buildings, 99-103 Leeds Road, Dewsbury,
WF12 7BU Tel
07770514721



Elevations

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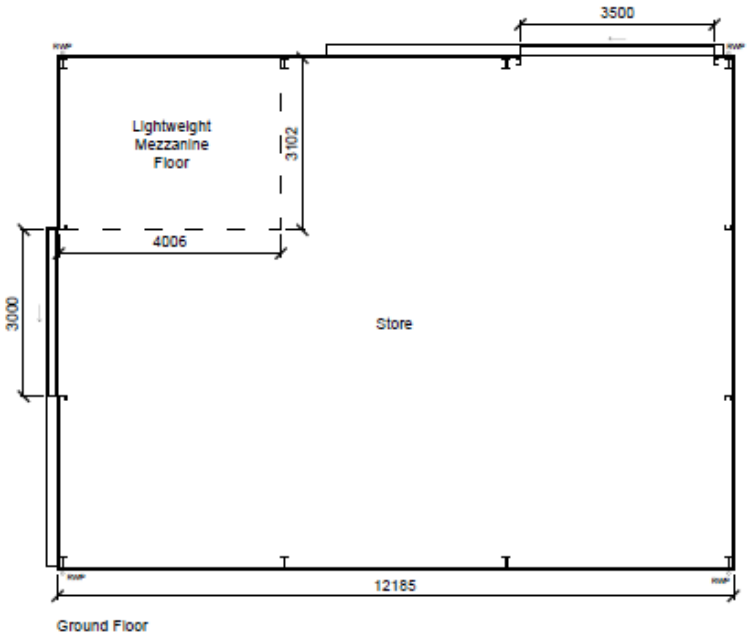

Floor Plan

2.2 Twice a year the beef cattle at Poplar Farm are brought to Top Ashlea where they graze the two fields that belong to Top Ashlea. All the cattle firstly graze the lower field before transferring to the upper field. Whilst they are in the top field, the lower field is cut using the tractor and mower from the agricultural building on the site. The cattle are then returned to the lower field to finish off the grass.

2.3 Whilst returned to graze in the lower field, the tractor and mower then cut the upper field where the cattle return to graze once cut.

2.4 As highlighted above, Poplar Farm is leasehold from Savile Estates. The family consider that the expense of the agricultural building was best spent on family freehold land rather than leasehold. Furthermore, the building is for housing cattle from Polar Farm that require periods of isolation away from the herd and it is far better it is off-site for obvious reasons.

2.5 The above establish the agricultural credentials for the building.

3.0 Relevant Planning Policy

3.1 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). The application site is located within the Green Belt.

3.2 The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. At the heart is a presumption in favour of sustainable development. Development proposals that accord with the development plan should be approved unless material considerations indicate otherwise. Where the development plan is absent, silent, or relevant policies are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the

Framework as a whole; or where specific policies in the Framework indicate development should be restricted or unless material considerations indicate otherwise.

3.3 In respect of this application, relevant sections in the Framework include: Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Paragraph 8 provides three overarching objectives to sustainability, social, environmental and economic. Paragraph 10 states to ensure that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. Paragraph 88 states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas; and the development and diversification of agricultural and other land-based rural business. Paragraph 153 states that inappropriate development in the Green Belt should only be approved in very special circumstances. Paragraph 154 sets out the various exceptions to which development in the Green Belt is considered as suitable. Part (a) includes buildings for agriculture and forestry.

3.4 **Kirklees Local Plan -** In relation to this application, the following Local Plan policies are relevant:

LP1 – Achieving Sustainable Development

LP2 – Place Shaping

LP3 – Location of New Development

LP10 – Supporting the Rural Economy

LP21 – Highway Safety

LP24 – Design

LP30 – Biodiversity & Geodiversity

LP52 – Protection and Improvement of Environmental Quality

LP54 – Buildings for Agriculture and Forestry

3.5 The above policies are considered to reflect the Principles in the NPPF, which relates to high quality design and good standard of amenity for all existing and future occupants of land and buildings.

4.0 Case for the development

4.1 **Principle of development** The application is located within Green Belt land as defined within the Kirklees Local Plan. The proposed building will be used for the housing of livestock (cattle) during periods of required isolation along with storage of a tractor and mower necessary

to manage the land. This clearly falls within an agricultural use. Paragraph 88 of the NPPF states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and the erection of new. It also states that the planning decisions should also enable the development and diversification of agricultural and other land-based rural business. The proposed development is in connection with an existing farm business and use, in which livestock farming forms an integral part.

4.2 In relation to determining whether or not an agricultural building is inappropriate, the NPPF does not set out any limiting criteria in relation to size or other matters. As the proposal is for an agricultural building, we contend the proposal therefore falls within one of the specific exceptions of paragraph 154 of the NPPF, and for the NPPF alone, would not constitute inappropriate development in the Green Belt.

4.3 Taking all of the above into consideration, it is concluded that there is a genuine need for the agricultural building that has been demonstrated by the said use since July 2021 and that the scheme is in line with Local Plan Policies LP10, LP24 and LP54 and the guidance contained within the National Planning Policy Framework. The design of the building and materials proposed follows other local agricultural buildings. It is clear the proposed building has been designed as an agricultural building based upon the genuine needs of Poplar Farm with

the family connection providing the opportunity for needed isolation and land maintenance (grazing).

5.0 Concluding comments

5.1 The agricultural building serves the needs of an existing farm (Poplar Farm), linked by family connections. It has been serving this purpose since July 2021.

5.2 In terms of design, the building is clearly designed as an agricultural building in keeping with agricultural buildings in the area. It is sited in a position where it would have no impact on residential amenity and raises no highway issues.

5.3 The link between the use on the site by Poplar Farm can be controlled by planning condition or a S.106 agreement.

5.4 Taking all the above into account it is considered the scheme satisfies national and local policy and represents a suitable and sustainable development proposal for the site that addresses all the relevant and material considerations. In this context, the proposal satisfies Section 38(6) of the Planning and Compulsory Purchase Act 2004 and it is considered that planning permission should be granted.

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