

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Town and Country Planning (General Permitted Development) (England)  
Order 2015 - Schedule 2, Part 6**

**DELEGATED DECISION FOR DISCHARGE OF CONDITION -  
NOTIFICATION OF AGRICULTURAL DEVELOPMENT**

**Reference no. 2025/N /92542/E**

**Site Address Land at, Beaconsfield Farm, Paul Lane, Emley Moor, Huddersfield, WF4 4BP**

**Description Prior notification for erection of agricultural building**

**Recommending Officer Elenya Jackson**

**DECISION – PRIOR APPROVAL NOT REQUIRED**

**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.**

East Team

***AUTHORISED OFFICER***

**Date: 06-Oct-2025**

## **Officer Report – 2025/92248**

### **Site Description**

The site is within the Green Belt on the Kirklees Local Plan. The site relates to a plot of land which currently has an agricultural building which is part of wider open landscape undeveloped and predominantly used for agriculture. There are residential properties to the north, east and south east.

### **Description of Proposal**

The proposed building's footprint would be 376m<sup>2</sup>

The walls are proposed to be constructed with a concrete panel base, timber boarding panels and cement sheet roofs.

There is no supporting documentation; however, the application form states that this building is required for the storage of machinery as the old building has been occupied by livestock.

From reviewing the site history, officers are of the understanding that the building referred to received permission under: 2021/94660

The application form states that the total area of the entire agricultural holding is 2.6 hectares in area and the land on which the proposed development would be located has been in agricultural use for 25 years.

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

N/A

### **Planning History**

2021/94660 : Erection of agricultural building and retention of access track.  
Conditional full permission.

2022/92936 : Prior notification for erection of agricultural building. Details withheld.

2024/90659: Prior notification for erection of extension to agricultural building.  
Details withheld

### **Representations**

As this is an application for prior approval no advertisement of the application has been undertaken by the LPA in accordance with The General Permitted Development Order 2015, Schedule 2, Part 6, Class B. No representations have been received during the course of the application.

### **Consultation Responses**

No consultations took place during the course of this application.

The above described proposal is defined as development within Section 55 of the Town and Country Planning Act 1990. The General Permitted Development Order 2015, Schedule 2, Part 6, Class A permits the following development:

A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of –

- a) works for the erection, extension or alteration of a building; or
- a) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit.

A.1 outlines when development is not permitted.

(a) The development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;	<b>Pass:</b> The site is part of a parcel in excess of 1 hectare.
(b) It would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;	<b>Pass:</b> None of the listed has taken place.
(c) It would consist of, or include, the erection, extension or alteration of a dwelling;	<b>Pass:</b> No works are proposed to the dwelling.
(d) It would involve the provision of a building, structure or works not designed for agricultural purposes;	<b>Pass:</b> The proposed building would be for the storage of machinery.
(e) The ground area would be covered by – (i) Any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations would exceed 1,000 square metres; or (ii) Any building erected or extended or altered by virtue of Class A would exceed 1,500 square meters, calculated as described in paragraph D.1(2)(a) of this Part;	<b>Pass:</b> The proposal would not exceed 1000 m <sup>2</sup> .
(f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;	<b>Pass:</b> The building would not be within 3 kilometres of an aerodrome.
(g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;	<b>Pass:</b> The building would not exceed 12 metres.

<p>(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;</p>	<p><b>Pass:</b> the site would not be within 25 metres of a classified or trunk road.</p>
<p>(i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;</p>	<p><b>Pass:</b> the building is within 400 metres of a protected building but not proposed for the storage of livestock or slurry. It is acknowledged that there is an existing building on site which has been converted to house livestock. The proposed building is described as a new building or storing equipment and could not be used for housing livestock without a change of use application.</p>
<p>(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or</p>	<p><b>Pass:</b> Not applicable.</p>
<p>(k )any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—  (i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or  (ii) is or would be within 400 metres of the curtilage of a protected building.</p>	<p><b>Pass:</b> The building is within 400m of a protected building but not proposed for the storage of biomass waste.</p>

### **Assessment**

Paragraph (2) of Class A.2 requires the developer to apply in writing to the local planning authority for a determination as to whether the prior approval is required for siting, design and the external appearance of the building. As part of the assessment the Local Planning Authority should determine whether or not the proposal complies with the requirements and conditions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2. Part 6, Class A.

The GPDO states that the building must be reasonably necessary for the purposes of agriculture with the “unit”.

The proposal is for a new agricultural building, which has dimensions of that permissible under Class A of Part 6 of the GDPO.

Given the above, it is considered that the building is reasonably necessary for the agriculture on that unit.

### **Siting, design and external appearance**

Given that the proposals are considered to benefit from permitted development rights, Class A of Part 6 of the GDPO, requires the Local Planning Authority to further assess the proposals in relation to the conditions of Part 6. As noted above, the main criteria to assess are the siting, design and external appearance of the building under A.2(i).

#### Siting

The proposal is for the erection of an agricultural building. The building would be sited in close proximity to the existing agricultural units on site. It is considered that the separation distance from the highway would be acceptable and given the building is proposed within the larger farm building complex, the proposed building would not cause any significant impact on the surrounding areas or require any further engineering works to facilitate the use. As a result, the siting of the proposed agricultural building is therefore considered acceptable.

Officers have discussed the application with KC Environmental Health where a condition relating to the unexpected discovery of contaminated land was proposed. Prior approval given under the provisions of Part 6 does not allow for conditions to be imposed, consequently a footnote is recommended.

#### Design and External Appearance

The building would be finished with concrete panel base, timber boarding panels and cement sheet roofs.

The proposed materials are considered in keeping with the use of the site and character of the area and would therefore have no significant impact on the local character.

The building would also be of a similar design to those already existing on the farm, including design, height, and scale. Moreover, the proposal is adequately set back from the nearest highway. As a result, the design and external appearance of the proposed agricultural building is therefore considered acceptable.

### **Conclusion**

The purpose of the prior notification process is to apply to the Council to determine whether prior approval would be required as to the siting, design, and external appearance of the building. This would require the submission of further details; however, the applicant has provided sufficient information at this stage in order for the application not to require prior approval.

It is concluded that the proposal complies with the provision of Schedule 2, Part 6, Class A of the GPDO 2015 (as amended).

### **RECOMMENDATION – Approval of Details**

#### **Decision Authorisation – Delegated Powers**

#### **Application Number – 2025/92542**

#### **Officer Recommendation – Approval of Details**

I refer your submission for agricultural development as described above.

The proposal as submitted is acceptable and subject to all works being carried out in accordance with the description contained in the notification, the

Council will not require the submission of further details. Prior approval is not, therefore, required and the works described may be carried out.

I would draw your attention to the provisions of Schedule 2, Part 6, of the General Permitted Development (England) Order 2015 (as amended), which requires that any works notified to the Council under these provisions must be carried out within a period of 5 years from the date on which the Local Planning Authority were notified. As such, the development proposed must be completed before 16<sup>th</sup> November 2029. Failing this, if you intend to carry out the works after this date, further notification will be required.

**NOTE:**

The Council's Environmental officers raised concern over the potential the presence of coal and/or evidence of coal workings. It is recommended a remediation strategy by a suitably competent person is carried out prior to development commencing and any necessary remedial step undertaken thereafter.

Plans and specifications schedule:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Application Forms	-	-	9/09/2025
Location Plan		-	9/09/2025
Block Plan		-	9/09/2025
Proposed Elevations		-	9/09/2025
Proposed			9/09/2025