



Supporting Planning Statement

Moor Ford Barn, 146 Red Lane, Meltham, Holmfirth, HD9
5ND

CHANGE OF USE AND ALTERATIONS TO BARN TO
FORM BOARDING KENNELS/DOG GROOMING/PET
FOOD SHOP

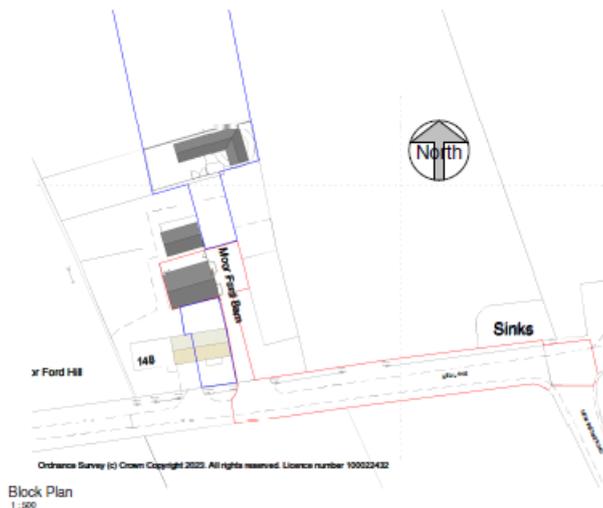
Date: Sept 25

Reference: TP5825

1.0 Introduction

- 1.1 This application has been prepared and submitted by **D5 Town Planning Consultants** on behalf of the applicant, P Davison, for the change of use and alterations to barn to form boarding kennels/dog grooming/pet food shop at Moor Ford Barn, 146 Red Lane, Meltham, Holmfirth, HD9 5ND.
- 1.2 It follows a recent refusal and appeal decision where the appeal was dismissed (Application 2023/62/92960/W and appeal decision reference APP/Z4718/W/24/3342860). In dismissing the appeal, the Inspector focussed on the impact of hardstanding serving the site. The Inspector said it ***was clear at the time of my visit that the significant spread of hardstanding is also used by customers and for deliveries. This has brought forth similar issues to that of Appeal A, whereby the hardstanding has harmed the openness of the green belt visually and spatially which has urbanised part of the site and associated increased number of vehicles. Similarly, the hardstanding also conflicts with the aim of green belt purposes in the Framework insofar as they seek to assist in safeguarding the countryside from encroachment. Although commercial activity is not prohibited in the green belt in principle, the urbanising effect of hardstanding and parked cars has led to encroachment in this manner.*** We will set out in this application that the hardstanding, that was the primary concern of the Inspector, was not part of the application AND has been on this site for over 10 years.
- ## 2.0 The application site and details of the application the subject of this appeal.
- 2.1 The application site comprises a semi-detached dwelling (146 Red Lane) with associated agricultural buildings and land. The barn is located to the north of 146 Red Lane and is accessed off an existing access road that runs through the site from Red Lane.





- 2.2 The site lies within a rural setting just outside the defined settlement boundary of Meltham. It falls within land designated as Green Belt in the Kirklees Local Plan (2019).
- 2.3 The application seeks planning permission for change of use and alterations to barn to form boarding kennels/dog grooming/pet food shop'.
- 2.4 The application includes detailed plans, Planning Statement and Climate Change Statement.
- 2.5 The conversion was completed in 2023 due to a misunderstanding of planning requirements by the applicant.
- 3.0 Relevant Planning History.**
- 3.1 2007/94399 – Change of use of part of barn and alterations to extend existing dwelling and change of use and alterations to convert existing barn to one dwelling. Approved.
- 3.2 2023/91423 – Erection of stables and formation of hardstanding. Refused February 2024 – Appeal submitted and dismissed - APP/Z4718/W/24/3342860

4.0 Relevant Planning Policy.

- 4.1 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).
- 4.2 The site is designated as Green Belt on the Kirklees Local Plan. It is also within an area at low risk of ground movement as a result of former mining activity.

Relevant Local Plan Policies

- LP 2 – Place shaping

- LP10 – Supporting the rural economy

- LP 24 – Design

- LP 60 – The re-use and conversion of buildings 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 December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial 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 4 – Decision-making



- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed and beautiful 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

5.0 Comments in support of the application.

- 5.1 Given the planning history detailed above and the recent appeal decision, a review of the Inspector’s reasoning for dismissing the appeal is the right point to start at.
- 5.2 The building is already there. The application seeks planning permission to change the use of the building. Local Plan Policy LP60 relates to the re-use and conversion of buildings in the Green Belt. It is supportive of the re-use of existing buildings in the Green Belt.

Policy LP60

The re-use and conversion of buildings

Proposals for the conversion or re-use of buildings in the Green Belt will normally be acceptable where;

a. the building to be re-used or converted is of a permanent and substantial construction;

b. the resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape, including through the



treatment of outside areas such as means of access and car parking, curtilages and other enclosures and ancillary or curtilage buildings;

c. the design and materials to be used, including boundary and surface treatments are of a high quality and appropriate to their setting and the activity can be accommodated without detriment to landscape quality, residential amenity or highway safety.

- 5.3 Policy Justification for LP60 in the Local Plan at paragraph 19.36 is also helpful in considering the application. The relevant part is highlighted below.

19.36 The conversion or re-use of existing buildings in the Green Belt in preference to the construction of new ones is one of the core principles underpinning planning as this encourages the recycling of existing resources. It follows that if a building is already there re-using it either for the same use or for a new use should not have a detrimental impact on the openness of the Green Belt.

- 5.4 In determining the appeal the Inspector said that the appeal **is assessed against paragraph 154(h)(iv) of the Framework, which relates to the re-use of buildings provided that the buildings are of permanent and substantial construction. This exception also requires that they preserve the openness and do not conflict with the purposes of including land within the green belt. I note the Council has not disputed that the building was of permanent and substantial construction. I have nothing before me on this matter, and I see no reason to conclude otherwise.**

This is further support for our contention that the proposal should be considered as appropriate development in the Green Belt in the NPPF at paragraph 154 (h)(iv).

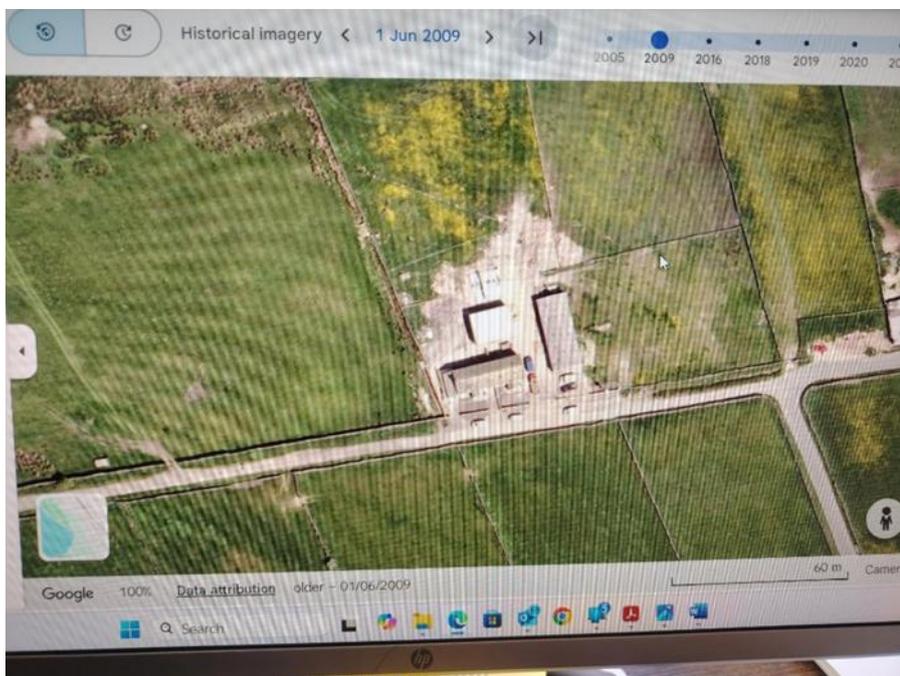
- 5.5 The Inspector then went on to comment on the existing hardstanding on the site (even though it was not part of the application) that had been on the site since at least 2009.



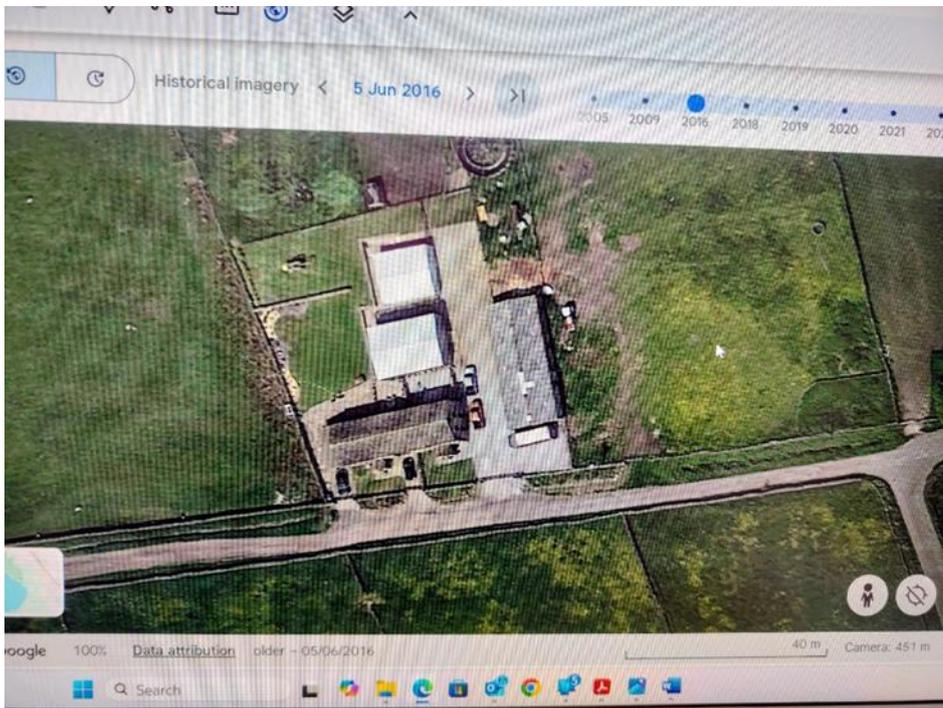
However, it was clear at the time of my visit that the significant spread of hardstanding is also used by customers and for deliveries. This has brought forth similar issues to that of Appeal A, whereby the hardstanding has harmed the openness of the green belt visually and spatially which has urbanised part of the site and associated increased number of vehicles. Similarly, the hardstanding also conflicts with the aim of green belt purposes in the Framework insofar as they seek to assist in safeguarding the countryside from encroachment. Although commercial activity is not prohibited in the green belt in principle, the urbanising effect of hardstanding and parked cars has led to encroachment in this manner.

- 5.6 The hardstanding on the site is well established from at least 2009 as demonstrated by the following Google Earth images.

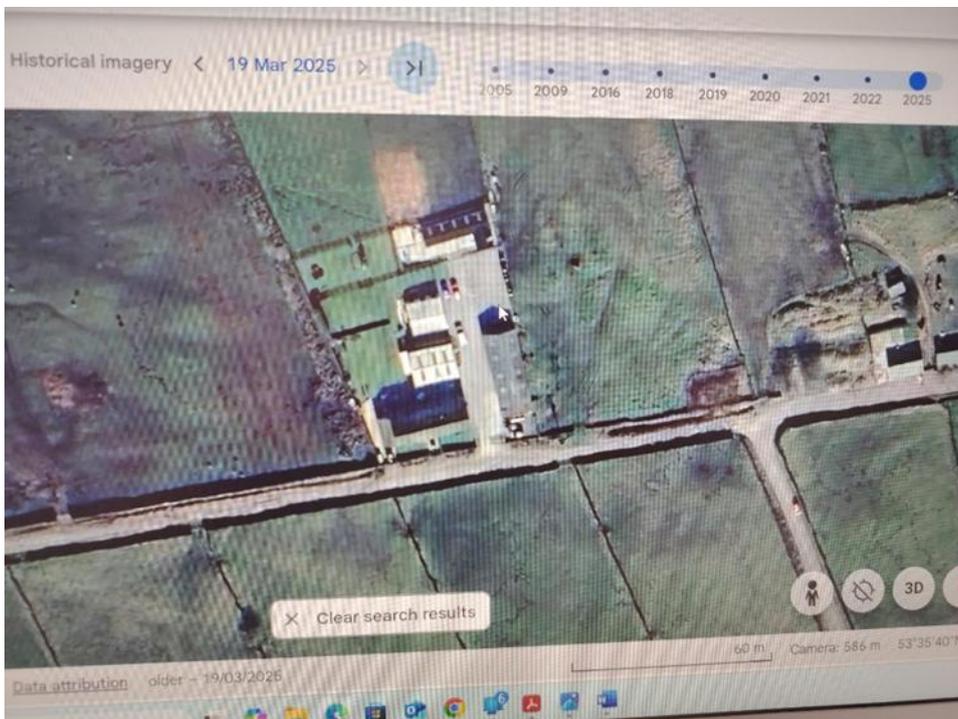
The image below is from 2009 showing a large extent of hard surfacing.



The next image is from 2016 showing the extent of hard surfacing.



And the final image is from 2025.



- 5.7 The comment about cars parked on site is not a matter raised by the Council in the reasons for refusal of the earlier application and is not correct. The cars the Inspector saw on site to the eastern side are vehicles associated with the owner of that land and not the applicant. For the above reasons, the proposed development does not constitute inappropriate development in the Green Belt and is compliant with policy LP60 and advice in the NPPF.
- 5.8 We consider the scale and form of the proposed development to be wholly appropriate in respect of the proposed use that has no negative impact on openness and the character and appearance of the area. Furthermore, we do not consider the scale of use to be large. The grooming parlour has only one elevated table to groom a dog, The shop space is largely taken up with freezers that contain raw dog food and there are only 9 kennels.
- 5.9 In terms of visual impact and concerns about the commercialised appearance of the building, no concerns were raised by the Council on this during the consideration of the previous application.
- 5.10 In dismissing the earlier appeal the Inspector's only concern related to the impact of the longstanding hard surface on the site. This is an established surface from at least 2009 and not subject of this planning application.
- 5.11 For these reasons we contend that the proposed development would not conflict with Local Plan Policies LP2, LP24 and LP60 or advice in the NPPF and there are no sound reasons to withhold planning permission.

6.0 Concluding comments.

- 6.1 The proposed development should be considered as appropriate development in the Green Belt for the reasons outlined above. It would accord with Local Plan Policy LP60 and, given the building is already there, would not have a harmful impact upon openness nor would it lead to encroachment

within the Green Belt, nor would it have a harmful impact on the visual and spatial openness of the Green Belt.

- 6.2 For the reasons outlined, we respectfully request that planning permission is granted.

