

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2025/62/93261/E
Site Address:	Low Farm Cottage, Lodge Lane, Norristhorpe, Liversedge, WF15 7PQ
Description:	Upgrading of existing farm track
Recommending Officer:	Nicole Helliwell

DECISION – Conditional Full Permission

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 27 January 2026

Officer Report

Reference No. 2025/62/93261/E

Site Address: Low Farm Cottage, Lodge Lane, Norristhorpe, Liversedge, WF15 7PQ

Proposal: Upgrading of existing farm track

Site Description

The application site relates to Low Farm Cottage, an existing working farm located on green belt land in Norristhorpe, Liversedge. The site comprises numerous buildings, which are highly varied in terms of size, architectural styles, and materials. The site is not located near any listed buildings or with a Conservation Area. However, the site is located adjacent to Public Rights of Way SPE/143/10.

Description of Proposal

The applicant is seeking planning permission to upgrade the existing farm track which is accessed via Lodge Lane. The proposal would involve widening the existing farm track to 4.5m and setting the gates back 8m from Lodge Lane. A 1m to 1.5m timber post and rail fence would also be erected along the southern side of the track.

History of Negotiations/Amendments Received

Amendments were sought during the course of the application. KC Highways Development Management confirmed that the post and rail timber fence proposed should not reduce the existing sightlines for vehicles accessing Lodge Lane from the track. The recommended sightlines are 2.4m x 43m and the fence should be set back 2.4m from Lodge Lane or reduced in height to 1.0m for the first 2.4m. Revised drawings were received which were considered acceptable with regard to highway safety.

Relevant Planning History

- **2024/90848:** Prior notification for erection of agricultural building. Planning application details | Kirklees Council – NA – Details Approved
- **2023/92031:** Discharge conditions 3 and 4 on previous permission 2022/94051 for demolition of existing building and erection of agricultural building. Planning application details | Kirklees Council – Discharge of Condition(s) Approved
- **2022/94051:** Demolition of existing building and erection of agricultural building. Planning application details | Kirklees Council – Conditional Full Permission

- **2020/92029:** Change of use of annex to spa building and erection of 2 associated shepherd huts. [Planning application details | Kirklees Council](#) – Pending Consideration
- **2020/91761:** Alterations to access track and erection of timber fencing. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **2015/92000:** Change of use from granny annex to spa building with 2 associated shepherds huts and summer house. – Invalid
- **2015/90382:** Change of use from granny annex to spa building. [Planning application details | Kirklees Council](#) – Withdrawn
- **2012/91453:** Removal or variation of condition 5 following grant of planning permission 2001/92844. [Planning application details | Kirklees Council](#) – Removal or Modification of Condition(s)
- **2005/91045:** Erection of extensions. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **2004/91566:** Erection of detached granny annexe. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **2004/90013:** Erection of extensions to existing farmhouse. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **2003/94116:** Erection of extensions and alterations to existing farmhouse and erection of detached double garage with granny flat over. [Planning application details | Kirklees Council](#) – Withdrawn
- **2001/92844:** Demolition and re-build cottage. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **96/92820:** Re-use of derelict cottage and extension to form dwelling. [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **95/92554:** Reinstatement of and extension to farm cottage. [Planning application details | Kirklees Council](#) – Conditional Full Permission

Representations

The application was publicised by site notice and press advertisement which expired on 11th January 2026. As a result of the above publicity, no representations have been received.

Parish/Town Council Comments

Not Applicable.

Local Ward Members

Not Applicable.

Consultation Responses

The following is a brief summary of Consultee advice (more details are contained in the 'Assessment' section of the report, where appropriate):

KC Highways Development Management – No objection

The Mining Remediation Authority – No objection

KC Ecology – No comments

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).

The site is located within the designated Green Belt on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 3** - Location of New Development
- **LP 21** - Highways and Access
- **LP 24** - Design
- **LP 30** - Biodiversity & Geodiversity
- **LP 51** - Protection and Improvement of Local Air Quality
- **LP 52** - Protection and Improvement of Environmental Quality
- **LP 53** - Contaminated and Unstable Land

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.

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

- **Chapter 2** - Achieving Sustainable Development
- **Chapter 4** - Decision-Making

- **Chapter 11** - Making Effective Use of Land
- **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

Other Guidance Documents:

- Kirklees Highways Design Guide (2019)
- Biodiversity Net Gain Technical Advice Note (2021)
- Planning Applications Climate Change Guidance (2021)
- West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)

Assessment

1. Principle of Development

The site is located within the designated Green Belt on the Kirklees Local Plan Proposals Map. As such, Green Belt policies contained within the National Planning Policy Framework (NPPF) and the Kirklees Local Plan (KLP) are relevant.

Paragraph 153 of the NPPF states *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. ‘Very special circumstances’ 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.”*

Paragraphs 154 of the National Planning Policy Framework set out that ‘Development in the Green Belt is inappropriate unless one of the following exceptions applies:

h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- i. mineral extraction;
- i. engineering operations;
- ii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- iii. the re-use of buildings provided that the buildings are of permanent and substantial construction;
- iv. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

- v. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

The application relates to an existing farm access located on Green Belt land in Norristhorpe, Liversedge. The proposed upgrading of the track would provide a formal access to the farm complex. The proposed works would require low level ground works and as such, would represent an engineering operation. Therefore, the proposed works will need to be considered against Paragraph 154 h) ii.

The proposed track would measure 4.5m wide with a swept open entrance onto Lodge Lane. A condition will be added to the decision notice requiring the access track to be constructed from crushed gravel which is considered rural in character and will therefore not cause any significant harm to the visual amenity of the openness. The post and rail fencing would be of an appropriate design and would not be an uncommon feature within the rural landscape. It is noted that planning permission was granted for a similar scheme under planning application 2020/91761. Whilst this permission has expired, this would constitute a material planning consideration which can be afforded some weight in the assessment of the current application. On this basis, given the planning history, the limited scale of the proposal, its purpose associated with the agricultural use of the farm and crushed surface finish, it is considered that the development would not lead to any detrimental encroachment into the countryside.

On this basis, it is considered that the proposed development constitutes appropriate development in the Green Belt and would comply with the Kirklees Local Plan and Government guidance contained within Chapter 13 of the NPPF. The proposal shall now be assessed against all other material planning considerations, which will be addressed below.

1. Impact on Visual Amenity

Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring the form, scale, layout, and details of all development respects and enhances the character of the townscape, extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details.

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) whereby Paragraph 131 provides a principal consideration concerning design which states: *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of*

sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

The proposal seeks to upgrade the existing farm track which is accessed off Lodge Lane. The proposed track would measure 4.5m wide with a swept open entrance. The submitted plans demonstrate that the gate will be set back 8m from Lodge Lane and a 1m-1.5m timber post and rail fence would also be erected along the southern side of the track. The submitted information states that the existing track has a tarmac scalping hardcore finish which will be extended to increase the width. However, a condition has been added to the decision notice requiring the access track to be surfaced in crushed gravel. This is to ensure that the materials used remain rural in character and would not detract from the rural setting of the site. Although the proposed works would alter the appearance of the site to a degree, it is considered that the proposal would be of an appropriate scale and would not have a material impact on visual amenity.

Having taken the above into account, the proposed development would not cause any significant harm to the visual amenity of either the host dwelling or the wider street scene, complying with Policy LP24 of the Kirklees Local Plan and the aims of Chapter 12 and 13 of the National Planning Policy Framework.

2. Impact on Residential Amenity of Neighbouring Residents

Consideration in relation to the impact on the residential amenity of neighbouring occupants shall now be outlined, taking into account Policy LP24 c), which sets out that proposals should promote good design by, amongst other things, extensions minimising impact on residential amenity of future and neighbouring occupiers.

Due to its location and nature, the proposal would not cause any additional overlooking, overbearing or overshadowing harm to the residential amenity of nearby neighbouring occupants. Therefore, it is considered that there would be no undue harm with regard to residential amenity.

Having considered the above factors, the development proposed would have an acceptable impact upon the residential amenity of the neighbouring occupants and would comply with Policy LP24 of the Kirklees Local Plan (b) in terms of the amenities of neighbouring properties and Paragraph 135(f) of the National Planning Policy Framework.

3. Impact on Highway Safety

Local Plan Policies LP21 and LP22 of the Kirklees Local Plan are relevant and seek to ensure that proposals do not have a detrimental impact on

highway safety and provide sufficient parking. Furthermore, Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The applicant states that the existing farm track is narrow and unsuitable for modern farm equipment and machinery. As a result, issues are being caused on Lodge Lane with vehicles backing up due to farm vehicles attempting to access the current farm track. The proposed upgrading of the alternative farm track further along Lodge Lane will improve on the current situation and enable the larger more modern farm equipment to access the site better.

The proposal will widen the farm track to 4.5m and the gates will be set back 8m from Lodge Lane to enable vehicles and machinery to pull off the carriageway before entering the site. A post and rail timber fence is proposed along one side of the track. Officers have confirmed that this fence should not reduce the existing sightlines for vehicles accessing Lodge Lane from the track. The recommended sightlines are 2.4m x 43m and the fence should be set back 2.4m from Lodge Lane or reduced in height to 1.0m for the first 2.4m. Revised drawings were provided to demonstrate that the required visibility splay can be achieved. As such, the proposal is considered acceptable with regard to highway safety.

In view of the above, it is considered that the proposal would not cause detrimental harm to the safe and efficient operation of the highway network, in accordance with Policies LP21 and LP22 of the Kirklees Local Plan, guidance within the Council's Highways Design Guide SPD, and Chapter 9 of the National Planning Policy Framework.

4. Other Matters

Climate Change

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan predates the declaration of a climate emergency and the net zero carbon target. However, it includes a series of policies, which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

In this case, due to the nature of the proposal is not considered reasonable to require the applicant to put forward any specific resilience measures with any future application.

Construction Noise

Construction noise can give rise to loss of amenity to neighbouring noise sensitive receptors, therefore, it is considered necessary for a footnote to be imposed restricting the times when noisy construction activities will be permitted.

Public Right of Way

Public Right of Way SPE/143/10 is located adjacent to the application site. However, given the distance retained between the proposed development and the footpath, it is considered that the proposal would not have a significant impact on the amenity of the footpath or its users.

Coal Mining Legacy

The application site falls within the defined Development High Risk Area and lies in an area where historic unrecorded underground coal mining is likely to have taken place at shallow depth. The Mining Remediation Authority's Public Safety & Subsidence team has in the past been called upon to deal with an off-site surface hazard incident within 50m of the application site.

The Mining Remediation Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support their planning application. However, given that the application is proposing to upgrade the existing farm track, this would not appear to require significant groundworks or earthworks. As such, the Mining Remediation Authority do not consider that a Coal Mining Risk Assessment is required to support the proposal and do not object to this planning application.

Biodiversity Net Gain

The application form states that the development impacts less than 25 square metres of on-site habitat and would be exempt from providing Biodiversity Net Gain. At this stage, Officers are only able to assess this on the basis of submitted information. Should the proposal be considered not exempt by reason of not being this or other relevant categories for the scale of the development then an appropriate condition, supported by a BNG metric submitted for the approval of the LPA, would be required to ensure on-site BNGs would last for at least 30 years to meet the requirements of this legislation. Therefore, it is considered the proposal would be in accordance

with Policy LP30 and LP33 of the Kirklees Local Plan, Principle 9 of the Housebuilders Design Guide SPD and Chapter 15 of the NPPF.

There are no other matters considered relevant to the determination of this application.

5. Representations

No representations were received following the statutory publicity.

6. Conclusion

This application for the upgrading of the existing farm track at Low Farm Cottage has been assessed against relevant policies in the development plan as listed in the policy section of the report, the National Planning Policy Framework and other material considerations. Given the acceptable design and lack of harm in terms of visual and residential amenity, the proposed development is considered acceptable.

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice. This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Approve

Decision Authorisation - Delegated Powers

Application Number: 2025/93261

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP3, LP21, LP24, LP30, LP51, LP52 and LP53

of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. Notwithstanding the submitted information and plans, the access track hereby approved shall be surfaced in crushed gravel and shall thereafter be retained for the lifetime of the development.

Reason: In the interests of visual amenity and to ensure the impact on the openness of the Green Belt in accordance with Local Plan Policy LP24 and Chapters 12 and 13 of the National Planning Policy Framework.

NOTE: Kirklees Council has powers under Section 60 of the Control of Pollution Act 1974 to control noise from construction sites and may serve a notice imposing requirements on the way in which construction works are to be carried out. It has additional powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including noise, dust, smoke and artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

NOTE: The granting of planning permission does not override any private legal rights or consents that may be required. It is the responsibility of the applicant / developer to ensure that all appropriate consents are in place prior to any development commencing; during the period of construction existing access for neighbouring properties is maintained; and no damage is caused to the access driveway or surrounding properties.

NOTE: To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of:

- 07.30 and 18.30 hours, Mondays to Fridays
- 08.00 and 13.00hours, Saturdays
- With no working Sundays or Public Holidays

In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Kirklees Environment and Transportation Services can control noise from construction sites by serving a notice. This notice can specify the hours during which the works may be carried out.

Plans and specifications schedule:

Plan Type	Reference	Revision	Date Received
Location Plan	19/92	-	02/12/2025
Upgrade Exist. Farm Track	19/92	A	19/01/2026
Design and Access Statement	-	-	02/12/2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2024 and otherwise actively engaged with the applicant in dealing with the application. The Case Officer undertook negotiations with the agent to secure amendments. Revised drawings were provided which addressed KC Highways Development Management's comments.

Report dated: 22/01/2026