

# **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:         | <b>2025/62/93387/W</b>                                     |
| Site Address:         | Bolster Moor Farm, Bolstermoor Road, Huddersfield, HD7 4JU |
| Description:          | Erection of poultry shed and fencing                       |
| Recommending Officer: | Kerri Simpson                                              |

### **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.**

John Holmes

***AUTHORISED OFFICER***

**Date:** 24<sup>th</sup> September 2026

## **Officer Report – 2025/93387**

Bolster Moor Farm, Bolstermoor Road, Huddersfield, HD7 4JU

### **Site Description**

The application site is located on the western side of Drummer Lane and meets the junction of Bolstermoor Road. The site currently comprises an area of greenfield land bounded by a low stone wall adjacent to the highway.

The application site is subject to the planning policy designations and constraints:

- Green Belt
- Development Low Risk (Coal)

### **Description of Proposal**

The proposal seeks planning permission for the erection of a poultry building, to provide housing for up to 1500 laying hens. The proposed building would measure circa 15.2m in length and 6.1m in width, with a pitched roof and ridge height of circa 3.2m. The building would provide an open litter area internally, with nest boxes and ladder/perching areas and would incorporate a number of openings within the side elevation. The proposed materials include dark brown treated timber cladding to walls; profile steel sheets finished in anthracite grey to roofs and steel doors finished in Van Dyke Brown to match the cladding.

The building would be positioned within the field circa 9m from the existing field access off Drummer Lane. Access would be taken from the existing field entrance, which is proposed to be widened to circa 5m, together with associated crushed-in limestone hard standing (5m x 3.6m). The proposal would also include the planting of seven field maple trees at an equal spacing of circa 15m, approximately 1.5m from the existing low stone wall. The trees are proposed to be protected from grazing with 1m x 1m x 1m triangles of timber post and rail fencing.

### **History of Negotiations / Amendments Received**

An amended site location plan was submitted during the course of the application, revising the extent of the land identified within the blue line boundary to exclude land to the east.

### **Relevant Planning History**

None

### **Representations**

Publication of the application has been undertaken in accordance with the Council's Development Management Charter.

The application has been publicised on the Council's website and by site notice. The expiry date of the publicity period was the 25<sup>th</sup> February 2026.

There were 8 comments received in objection, with a summary of the matters raised being as follows:

#### *Principle of development*

- The agricultural need and justification for the proposed poultry building is questioned, including whether the scale of the proposed building and poultry enterprise is necessary and appropriate.
- Concerns that the proposal are character of a hobby/smallholding operation
- Concern regarding the relationship between the proposed poultry enterprise and an existing farm shop/café and whether development is genuinely required
- It is questioned whether existing buildings within the applicant's ownership could be utilized or adapted instead of constructing a new building
- Concerns that insufficient information has been submitted to demonstrate why a new building of the proposed scale is required.
- Concerns about the impact on the Green Belt

#### *Highways Impacts*

- The proposal would result in increased traffic movements on the surrounding highway network, including deliveries, collections and movements by HGVs/large commercial vehicles
- Concern that Drummer Lane is narrow and unsuitable for the type and frequency of vehicle movements associated with the proposed development, including large vehicles. With reference to impacts on Bolster Moor Road/Westwood Edge Road.
- Conflict of additional vehicular movements with pedestrians
- Concerns about additional parking associated with the development (i.e. staff employed in connection with the poultry operation)
- Concerns that the proposed access/hard standing works and movement of vehicles could result in mud, debris and other materials on the public highway

#### *Residential Amenity – Noise, Odour, Dust and Emissions*

- Concerns about unacceptable noise and disturbance to neighbouring residents, including noise generated by the birds and associated operational activity

- Concerns regarding noise arising from potential cockerels'/breeding birds should these form part of the operation.
- Concerns regarding odour arising from the keeping of poultry and the storage, handling and disposal of manure and litter.
- Concern regarding ammonia and other gaseous emissions associated with poultry farming and their potential effects upon neighbouring occupiers.
- Concerns regarding dust and particulate matter arising from feathers, bedding, dried manure and other activities associated with the poultry operation.
- The prevailing wind direction is stated to have the potential to carry odours, dust and other emissions towards surrounding residential properties.
- Concerns that the cumulative effects of noise, odours, dust and other emissions could adversely affect the living conditions and health of nearby residents.

#### *Drainage, Pollution and Waste Management*

- Insufficient information has been provided regarding foul and surface-water drainage arrangements associated with the proposed poultry building.
- Concerns regarding absence or adequacy of facilities for washing and cleaning the poultry building and associated equipment.
- Concerns how contaminated water would be collected and disposed of without entering the ground, drains or surrounding water environment.
- Insufficient information has been provided regarding the storage, handling and disposal of manure, litter and other waste.
- Concerns that poultry manure or contaminated surface-water run-off could enter surrounding land, watercourses or neighbouring properties.
- Reference is made to alleged previous incidents of run-off from the applicant's land affecting neighbouring land/properties.
- Concern is raised regarding the potential storage or disposal of other waste materials on the site and alleged previous burning of waste.

#### *Heritage Impacts*

- Concerns regarding the potential impact of the development upon nearby heritage assets (including two Grade II Listed Buildings) stated to lie within circa 75m of the proposed building.
- Concerns that ammonia, dust and other potentially corrosive emissions associated with the poultry operation could adversely affect the fabric of nearby listed buildings.

#### *Animal Welfare*

- Concerns regarding the adequacy of animal welfare, husbandry and biosecurity arrangements, including cleaning and disinfection, ventilation, management and disposal of litter/manure and dead birds,

and disease prevention, with reference made to relevant Government/DEFRA guidance and animal welfare requirements.

- Concerns regarding the adequacy of facilities for the safe operation of the poultry unit, including washing, drainage and disinfection arrangements and the movement of vehicles, equipment and personnel.
- Concerns regarding the proximity of the poultry unit to residential properties, other livestock/poultry and water sources and the associated potential for disease transmission and other impacts.

#### *Other matters*

- Concerns regarding the accuracy and adequacy of the information submitted in support of the application.
- Concerns regarding the applicant's previous management of the site, including alleged waste burning, storage of materials and pollution/run-off incidents.
- Concerns regarding how the proposed poultry enterprise would operate alongside existing activities on the site and within the area.

### **Consultation Responses**

**Highways Development Management (informal - verbal)** – No objection, it is considered that acceptable visibility can be achieved from the existing field access, vehicle movements are likely to be limited and the proposed access arrangements including crushed stone are acceptable in highways safety terms.

**Environmental Health Team (informal - verbal)** – Request for an Odour Impact Assessment (this matter is addressed within the 'Assessment' section of this report).

**Ecology Officer** – No objection is raised. Whilst a Construction Environmental Management Plan (CEMP) was initially requested, following discussions between officers and the Ecology Officer it was concluded that such a condition would not be proportionate or necessary. The site comprises modified grassland bounded by roads and dry stone walls, with the prefabricated nature of the development minimising construction impacts. The nearest Priority Habitat is over 250m from the site and separated by two roads. Biodiversity Net Gain will be secured through the statutory biodiversity gain condition

### **Allocation and Policy**

The site is within the Green Belt within the Kirklees Local Plan.

The following legislation, policy and guidance is considered relevant to the determination of this application: -

## *Kirklees Local Plan*

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place shaping
- **LP3** – Location of new development
- **LP7** – Efficient and Effective use of Land and Buildings
- **LP10** – Supporting the Rural Economy
- **LP20** – Sustainable Travel
- **LP21** – Highway safety and access
- **LP22** – Parking
- **LP24** – Design
- **LP26** – Renewable and low carbon energy
- **LP27** – Flood Risk
- **LP28** – Drainage
- **LP30** – Biodiversity & Geodiversity
- **LP51** – Protection and Improvement of Local Air Quality
- **LP52** – Protection and Improvement of Environmental Quality
- **LP53** – Contaminated and Unstable Land
- **LP54** – Buildings for Agriculture and Forestry

## *National Policies and Guidance*

National planning policy and guidance are set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) which was last updated in August 2026, 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 4 Achieving sustainable development  
Chapter 7 Building a strong, effective economy  
Chapter 13 Protecting Green Belt Land  
Chapter 14 Achieving well-designed places  
Chapter 15 Promoting sustainable transport  
Chapter 18 Managing flood risk and coastal change  
Chapter 19 Conserving and enhancing the natural environment

## *Legislation*

The Town & Country Planning Act 1990 (as amended).  
The Planning and Compulsory Purchase Act 2004.

## *Supplementary Planning Documents*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that in considering planning applications the determination must be made in accordance with the plan unless material considerations indicate otherwise

## **Assessment**

The following matters are considered in the assessment below –

### **1.Principle of Development**

Policy S3 of the National Planning Policy Framework 2026 (NPPF) establishes a presumption in favour of sustainable development and provides that proposal which accord with the development plan and relevant national decision-making policies should be approved without delay.

Policy S5(5) states that development proposals in the Green Belt must be determined in accordance with policies GB6, GB7 and/or GB8 (as appropriate). However, where development would not be inappropriate in these locations (through the application of policies HC8 and GB7), proposals should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the NPPF.

Policy LP1 of the Kirklees Local Plan (KLP) states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Policy LP2 of the KLP sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan, with the relevant dimensions of sustainable development considered throughout the proposal.

The proposals compliance with these policies are assessed in detail within the relevant sections of this report.

### ***Green Belt***

The application site is located within land allocated as Green Belt within the Kirklees Local Plan. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Policy LP54 of the Kirklees Local Plan sets out the criteria against which proposals for agriculture and forestry in the Green Belt will be assessed, as detailed below.

Policy LP54 states that:

*Proposals for new buildings for agriculture and forestry will normally be acceptable, provided that:*

- a. The building is genuinely required for the purposes of agriculture or forestry;*
- a. The building can be sited in close association with other existing agricultural buildings, subject to the operational requirements of the holding it is intended to serve. Isolated new buildings will only be accepted exceptionally where there are clear and demonstrable reasons for an isolated location;*
- b. There will be no detriment to the amenity of nearby residents by reason of noise or odour or any other reason; and*
- c. 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.*

Policy GB7 of Chapter 13 of the National Planning Policy Framework 2026, sets out that categories (a) – (h) of development which are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or required to demonstrate very special circumstances. At GB7(1)(a), the policy includes: Development which is for agriculture, horticulture and forestry, or which is solely for nature conservation, restoration and/or enhancement.

The submitted Agricultural Justification confirms that the wider agricultural holding extends to circa 70 acres and presently supports approximately 200 Limousin-cross store claves and 300 Texel-cross ewes. The proposed building would accommodate up to 1,500 laying hens and would facilitate the reintroduction of poultry to a farming enterprise, with the applicant noting that they have previously kept 10,000 hens. The proposal is intended to diversify and expand the existing agricultural operation through the production of eggs.

Representations have questioned aspects of the commercial justification advanced in support of the proposal. These concerns have been taken into account. However, the acceptability of the development under Policy LP54 is not dependent upon the proposal being under the same ownership or forming part of the same business enterprise. The relevant consideration is whether the proposed building is genuinely required for agricultural purposes and whether there is sufficient justification for any isolated positioning.

The keeping of laying hens constitutes an agricultural use and, in this instance, would represent diversification of an established agricultural holding.

The proposed building has been designed specifically to accommodate the poultry operation and its scale is considered commensurate with its stated function.

Having regard to the established agricultural use and scale of the wider holding, the existing livestock enterprise, the proposed reintroduction of poultry production and the nature and scale of the building proposed, officers are satisfied that genuine agricultural requirement for the building has been demonstrated. The proposal therefore complies with criterion (a) of Policy LP54.

Whilst the proposed building would be somewhat isolated from any other agricultural buildings, it would remain within a wider agricultural holding and would utilise an existing field access, avoiding the need for a new access or access track. The submitted statement also explains that the location was selected having regard to accessibility to adjoining agricultural land and the highway network, whilst providing greater separation from residential properties. Having regard to these operational and site specific conditions, it is considered that the proposal would accord with criterion (b) of Policy LP54.

Criteria (c) and (d) of Policy LP54 are discussed in further detail within the proceeding parts of this report, however, the proposal is considered to be acceptable in this regard.

Overall, the proposed development is considered to be genuinely required for agricultural purposes and having regard to the operational requirements of the holding and the justification for its siting, along with the acceptable impacts on the neighbouring and visual amenity (as discussed below), the proposal would accord with the relevant requirements of Policy LP54 of the Kirklees Local Plan. The proposal constitutes development for agriculture and therefore falls within the exception at Policy GB7(1)(a) of the National Planning Policy Framework 2026, which identifies development for agriculture as not inappropriate development in the Green Belt and is not considered to be harmful. Accordingly, the principle of the development in the Green Belt is acceptable, subject to other relevant material planning considerations as set out in this report.

To ensure the use is / remains agricultural a condition of any approval would require this to be / remain the case.

## **2. Impact upon the Character and Appearance of the Area**

Policy LP24 of Kirklees Local Plan seeks to ensure development is of a suitable design. Chapter 14 of the NPPF sets out the objective to promote

high quality, healthy, inclusive and sustainable places, through setting clear expectations about design outcomes and the use of relevant tools and processes.

Local Plan Policy LP24(a) states that all proposals should promote good design by ensuring the following: *the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape*.

Policy LP54(d) of the Kirklees Local Plan requires the design and materials of the building to have regard to relevant design policies to ensure that the resultant development does not detract from the Green Belt setting.

The proposed poultry building would be circa 18.29m in length and 9.14m in width and would comprise a simple, functional agricultural form with a pitched roof. The external elevation would principally comprise dark green boarding/sheathing, which is considered appropriate to the rural character of the site and would assist in reducing the visual prominence of the building.

The building would introduce a relatively sizeable structure into an otherwise open field and would therefore be visible from within the surrounding landscape, including Drummer Lane. However, its scale, form and appearance are a characteristic of an agricultural building, and its relatively low profile and recessive materials would limit its prominence within the wider rural landscape.

Overall, whilst the proposal would result in a degree of visual change, it is not considered that the building would appear unduly prominent or materially detract from the character and appearance of the area or its Green Belt setting. Further, the introduction of new trees and timber fencing would be sympathetic to the character of the area. The proposal is therefore considered acceptable in this regard and accords with Policy LP24 and LP54(d) of the Kirklees Local Plan and Chapter 14 of the NPPF.

### **3. Impact on Residential Amenity**

Sections B and C of LP24 states that alterations to existing buildings should:

*“...maintain appropriate distances between buildings” and “...minimise impact on residential amenity of future and neighbouring occupiers.”*

Local Plan Policy LP52 is also relevant and sets out that development must be considered in relation to potential increases from pollution, in this case the relevant possible increases could relate to noise, light & odour emissions.

Policy LP54(c) of the Kirklees Local Plan requires that new agricultural buildings do not result in detriment to the amenity of nearby residents.

Policy P3 of the NPPF seeks to ensure that development provides acceptable living conditions and does not give rise to unacceptable levels of pollution

affecting neighbouring residents and occupiers. This includes consideration of air pollution, odour and noise.

The proposed building would accommodate up to 1,500 laying hens. Representations have raised concerns regarding noise and disturbance associated with the birds and the operation of a poultry unit, together with potential odour, dust, ammonia and other emissions, particularly associated with poultry litter and manure.

In respect of noise, the proposed poultry building would accommodate up to 1,500 laying hens and would be separated from the nearest neighbouring properties by circa 94m. The submitted documents confirm that no roosters would be kept as part of the proposed poultry operation, thereby limiting the potential for noise associated with crowing. Having regard to the nature of the proposed use, the scale of the operation and the degree of separation from neighbouring residential properties, noise arising from the keeping of poultry and associated activities are not considered likely to result in significant harm to the living conditions of neighbouring occupiers. It is recommended that a condition is attached to the decision to ensure that no roosters/cockerels shall be kept within the poultry building or associated land in connection with the development hereby approved, in the interests of neighbouring amenity.

In respect of odour and dust, the applicant has submitted a SCAIL (Simple Calculation of Atmospheric Impact Limits) screening assessment. This provides an indication of whether emissions associated with the proposed use are likely to have significant effects on nearby sensitive receptors. The assessment considers neighbouring residential receptors located circa 94m from the proposed poultry building and considers potential effects arising from airborne dust and odour. The results indicate that the predicted contribution from the proposed poultry use would be below the relevant screening levels for both odour and dust.

The Council's Environmental Health Team requested the submission of a more detailed odour assessment. Officers noted this request; however, having regard to the results of the submitted SCAIL screening assessment, the separation between the proposed poultry building and neighbouring residential properties, the scale of the proposed operation and the rural agricultural context of the site, it is considered that sufficient information is available to assess the effects of the development on neighbouring amenity in this regard.

It is acknowledged that some noise and odour may arise from the normal operation of a poultry unit. However, the relevant consideration is whether these effects would result in significant harm to neighbouring occupiers. On the basis of the context, separation distances and the submitted information, it is not considered that the proposed development would result in significant harm through noise, odour, dust or other associated disturbance.

It is also noted that, should the operation of the development subsequently give rise to a statutory nuisance, separate powers are available to the Council

under Section 80 of the Environmental Protection Act 1990 to require the abatement of such a nuisance. An informative would be attached to the decision drawing the applicant's attention to these provisions.

Notwithstanding the above, conditions are considered appropriate to limit the poultry operation to a maximum of 1,500 birds, the exclusion of roosters/cockerel and controlling the external storage of poultry litter and manure, thereby ensuring that the development operates within the scale assessed and further limiting the potential for adverse amenity effects.

In terms of physical relationship with neighbouring properties, the proposed building would be located a sufficient distance from neighbouring residential properties, as not to result in unacceptable impacts in terms of overlooking, overshadowing or the loss of light.

Subject to the aforementioned conditions, the proposal is considered to safeguard the living conditions of neighbouring occupiers and would accord with Policies LP24 and LP53 of the Kirklees Local Plan and Policy P3 of the National Planning Policy Framework 2026.

#### **4. Impact on Highway Safety**

Policies LP21 and LP22 of the Kirklees Local Plan and Chapter 15 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application.

The proposal would utilise the existing field access from Drummer Lane, which measures circa 3.6m in width. The proposed building would be set back circa 9m from the access, allowing vehicles to pull clear of the highway, with sufficient space available within the site for vehicles to manoeuvre and leave in forward gear. The access benefits from acceptable visibility in both directions. Crushed-stone surfacing is proposed at the entrance, which would assist in preventing loose material being carried onto the highway.

The development would generate a relatively limited level of additional traffic. Vehicle movements would principally arise from egg collection and deliveries associated with the poultry operation, with replacement hens anticipated to be delivered approximately once every 18 months. Routine checking, feeding and watering of the hens is noted to be undertaken on foot.

Representations have raised concerns regarding increased traffic movements, the narrow nature of Drummer lane, its suitability for larger vehicles and the ability of vehicles to manoeuvre safely. These concerns are acknowledged. However, having consideration to the proposed access, available visibility and anticipated vehicle movements, the Highways Development Management Team raises no objection to the development, and it is accepted that manoeuvring and turning would take place predominately within the remaining landholding.

A condition is recommended to ensure that the field access is surfaced with compacted Type 1 MOT crushed stone prior to first use of the development and to be retained and maintained for the lifetime of the development. In order to prevent the deposit of mud, loose material or other debris onto the public highway.

Subject to conditions, the proposed development is not considered to result in an unacceptable impact on highway safety or the safe operation of the surrounding highway network and is therefore considered acceptable in accordance with Policy LP21 and LP22 of the Kirklees Local Plan and Chapter 15 of the NPPF.

## **5. Impact on Ecology and Biodiversity**

The Biodiversity Net Gain (BNG) Technical Advice Note provides local context on implementing BNG and reflects the statutory requirement introduced by the Environment Act 2021, which mandates a minimum 10% biodiversity net gain for most developments. As the proposal relates to minor works on an existing building, it does not trigger the requirement for measurable Biodiversity Net Gain.

Chapter 19 of the NPPF (August 2026) seeks to protect and enhance the natural environment by securing measurable biodiversity net gains, safeguarding irreplaceable habitats, and ensuring that harm to biodiversity is avoided, mitigated or, only where absolutely necessary, compensated.

Policy LP30 of the Kirklees Local Plan seeks to ensure that development proposals protect and enhance the natural environment. This includes safeguarding species and habitats of principal importance, avoiding significant harm to biodiversity, and securing measurable biodiversity net gains wherever possible.

The site comprises modified grassland bounded by roads and dry-stone walls. Whilst the Council's Ecology Team initially requested a Construction Environmental Management Plan (CEMP), following further discussion it was considered that this would not be proportionate or necessary having regard to the nature and scale of the development. In particular, the building would largely comprise prefabricated components, thereby limiting the extent and duration of construction works, whilst the nearest Priority Habitat is located over 250m from the site and is separated from it by two roads. No existing structures are proposed to be removed, and a Preliminary Bat Roost Assessment is therefore not required. An informative should be attached advising that, should bats, nesting birds or evidence of either be encountered during the works, works must cease and advice be sought from a suitably qualified ecologist

The submitted BNG assessment and metric have also been reviewed and are considered acceptable, with the proposal demonstrating a 17.12% onsite net gain through the provision of new trees. An informative will be attached in respect of the proposed BNG.

It is therefore considered that the proposal would comply with Policy LP30 of the Kirklees Local Plan and Chapter 19 of the National Planning Policy Framework.

## **6.Land Contamination**

Chapter 17 of the NPPF, relating to pollution, public protection and security, and Policy LP53 of the Kirklees Local Plan which seeks to ensure land quality is maintained as part of new development are considered to be relevant.

The site itself is not identified as potentially contaminated from its former use, although a historic sandstone quarry identified as having been infilled is located nearby. Given the nature of the proposed use and the absence of any identified source of contamination within the application site, it is not considered proportionate to require intrusive contaminated land investigations prior to determination. However, a condition is recommended requiring appropriate action should any previously unidentified contamination be encountered during construction. Subject to this condition, the proposal is considered acceptable in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 17 of the National Planning Policy Framework.

## **7. Flood Risk and Drainage**

Chapter 18 of the NPPF seeks to minimise risks to development from all sources of flooding, ensuring that development does not increase flood risk elsewhere and incorporates sustainable drainage systems where appropriate. Policies LP27 and LP28 of the Kirklees Local Plan is also relevant to flood risk and drainage.

The application site is located within Flood Zone 1 and is therefore at a low risk of fluvial flooding. A watercourse is located circa 51m from the proposed poultry building; however, the development would not encroach upon or involve any works to the watercourse.

Surface water from the roof of the proposed building would be collected and directed to a water bowser for reuse. Given the nature and scale of development, its separation from the watercourse and the proposed surface water arrangements, no unacceptable impacts in respect of flood risk or drainage are anticipated.

In light of the above, it is considered that the proposal would accord with Policies LP27 and LP28 of the Kirklees Local Plan and Chapter 18 of the NPPF.

## **8.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.

The NPPF 2026 places greater emphasis on tackling climate change through the planning system, with Chapter 16 setting out national policies for climate change mitigation and adaptation. These seek to support the transition to net zero, reduce greenhouse gas emissions and ensure that development is resilient to the current and future impacts of climate change. These principles are also reflected in the formulation and application 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.

The proposal incorporates measures to reduce its environmental impact, including rainwater harvesting for livestock, the use of predominantly timber construction, natural lighting and ventilation through roof lights, and limited operational energy requirements. The proximity of the building to the holding would also allow routine visits to be undertaken on foot. Overall, the proposal is considered to appropriately address climate change considerations.

## **9. Other Matters**

### **Waste Management**

The submitted Design and Access Statement set out the proposed arrangements for the management of poultry manure and litter. The poultry would be housed on sawdust, with the building capable of retaining the manure arising during each layout cycle. Between cycles, the building would be emptied and disinfected, with the manure subsequently spread on agricultural land. The applicant notes that the spreading of manure would be carried out in accordance with separate legislation under the Farming Rules for Water. A planning condition will be imposed requiring the storage, handling and disposal of poultry manure and litter to be undertaken in accordance with the arrangements set out in the Design and Access Statement. Subject to this condition, the proposed waste management arrangements are considered acceptable and in accordance with Policy LP52 of the Kirklees Local Plan and Chapter 17 of the NPPF.

## **10. Representations**

Eight representations of objection were received. The material planning considerations have been taken into account in the assessment of the application and are addressed as follows:

### ***Principle of Development***

Concerns regarding the agricultural need for the building, its scale and relationship with other activities and availability of existing buildings, amongst other matters are noted. These matters have been considered in detail in the Principle of Development section above. On the basis of the information submitted, the building is considered genuinely required for agricultural purposes and its scale and siting are proportionate to the proposed poultry activities. The proposal is therefore considered acceptable in principle, including in respect of its location within the Green Belt.

### *Highways Impacts*

The concerns regarding additional traffic, the suitability of Drummer Lane, pedestrian safety, parking and the potential for mud/debris to be deposited on the highway, amongst other matters are noted. The proposal would generate a limited number of vehicle movements, with the majority of day-to-day activities undertaken on foot. The existing field access provides acceptable visibility, and sufficient space would be available within the wider land for vehicles to turn. The proposed crushed-store treatment to the access would assist in preventing material being carried onto the highway. The Highways Development Management Team raised no objection, and the proposal is not considered to result in unacceptable highway impacts.

### *Residential Amenity*

Concerns regarding noise, odour, dust, ammonia and other emissions have been considered. The poultry building would be separated from neighbouring residential properties by a substantial distance, with the supporting SCAIL information indicating that the predicted contribution from the proposed poultry use would be below the relevant screening levels for both odour and dust. The applicant has confirmed that the development is for laying hens. A condition is recommended to ensure cockerels/roosters do not occupy the development. Appropriate controls also exist under Environmental Protection Legislation should a statutory nuisance subsequently arise. The proposal is therefore not considered to result in unacceptable harm to neighbouring residential amenity.

### *Drainage, Pollution and Waste Management*

Concerns regarding surface water, contaminated run-off, manure/litter and waste management are noted. The site is not within an identified area of fluvial flood risk, and the proposed building would not be constructed over the nearby watercourse. Roof water would be collected for reuse, while potential pollution during construction would be addressed through the required CEMP and Pollution Prevention Plan. Matters relating to the detailed management and disposal of agricultural waste are also subject to separate environmental legislation and controls.

### *Heritage Impacts*

The concerns regarding the effect upon nearby listed buildings, including potential effects from emissions, are noted. Having regard to the nature and scale of the proposed agricultural building, its siting and separation from the identified heritage assets, the proposal is not considered to result in harm to their significance.

#### *Animal Welfare*

Concerns regarding animal welfare, husbandry, biosecurity, disease prevention and the management of the poultry operation are noted. Animal welfare and detailed husbandry practices are principally controlled through separate legislation and regulatory regimes and are not, in themselves, matters for determination through the planning system. Insofar as these matters have land use implications, including effects upon residential amenity, pollution and the water environment, they have been considered within the relevant sections of this report and no unacceptable planning impacts have been identified.

#### *Other Matters Raised*

Concerns regarding the accuracy of the submitted information and the relationship of the poultry enterprise with other activities have been considered as part of the assessment. The application has been determined on the basis of the submitted plans and supporting information. Allegations concerning previous waste burning, pollution incidents or the applicant's historic management of the land are noted; however, these matters do not alter the assessment of the planning merits of the development currently proposed in this instance.

### **10. Conclusion**

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; the proposed development would constitute sustainable development and is therefore recommended for approval.

#### **Recommendation**

**APPROVE**

#### **Decision Authorisation: Delegated Powers**

**Application Number: 2025/93387**

**Officer Recommendation: Full Conditional Permission**

#### **Conditions**

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 (as amended).

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 so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies LP1, LP2, LP21, LP22, LP24, LP26, LP27, LP28, LP30, LP34, LP35 LP52, LP53 and LP54 of the Kirklees Local Plan, Chapters 4,5,13,14,15,17,18,19 and 20 of the National Planning Policy Framework.

3. The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the Local Planning Authority has been obtained for any proposed change or variation. **Reason:** In the interest of visual amenity in accordance with Policy LP24 of the Kirklees Local Plan and the aims of chapter 14 of the National Planning Policy Framework 2024.

4. No Cockerel(s) shall be kept on the application site in association with development hereby approved.

**Reason:** To safeguard the residential amenity of neighbouring occupiers from noise and disturbance in accordance with Policy LP24 of the Kirklees Local Plan and Chapter 17 of the National Planning Policy Framework.

5. The storage, handling, disposal of poultry manure and litter arising from the development hereby approved shall be undertaken in accordance with the arrangements set out at Paragraph 9.1 of the approved Design and Access Statement and Planning Statement, Incorporating Agricultural Justification, prepared by Woodcock Rural Surveyors Ltd. **Reason:** In the interests of residential amenity and pollution prevention in accordance with Policies LP52 and LP54 of the Kirklees Local Plan and Chapter 17 of the National Planning Policy Framework.

6. In the event that contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works on site (save for site investigation works) shall cease immediately and the Local Planning authority shall be notified in writing within 2 working days. Works on site shall not recommence until either:

- a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or,

- b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy.

Following completion of any measures identified in the approved Remediation Strategy a Validation Report shall be submitted to the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority, no part of the site shall be brought into use until such time as the whole site has been remediated in accordance with the approved Remediation Strategy and a Validation Report in respect of those works has been approved in writing by the Local Planning Authority.

**Reason:** To identify and remove unacceptable risks to human health and the environment and in accordance with Policy LP53 of the Kirklees Local Plan and Chapter 17 of the National Planning Policy Framework.

7. Prior to the first use of the development, the field access shall be surfaced with compacted Type 1 MOT crushed stone in accordance with the submitted details and shall thereafter be retained and maintained as such.

**Reason:** In the interests of highway safety and to minimise the deposit of mud and loose material onto the public highway in accordance with Policy LP21 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

8. The development hereby permitted shall be used only for the purpose of agriculture, as defined in Section 336 (l) of the Town and Country Planning Act, 1990 (as amended), and for no other purpose whatsoever.

**Reason:** So as to protect the openness and special character of the Green Belt in accordance with Policy LP54 of the Kirklees Local Plan and Chapter 13 of the National Planning Policy Framework.

**NOTE:** It is a requirement of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 that a Biodiversity Net Gain Plan is submitted to, and approved in writing by the Local Planning Authority prior to the commencement of development.

**NOTE:** The applicant is reminded that bats and nesting birds (including swifts) are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. If evidence of bats, nesting birds, or other protected species is discovered during the works, all activity must cease, and advice should be sought from a suitably qualified ecologists before proceeding.

**NOTE:** Noisy construction related activities shall not take place outside the hours of:

07.30 to 18.30 hours Mondays to Fridays 08.00 to 13.00 hours, Saturdays

With no noisy

activities on Sundays or Public Holidays.

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.

Plans and specifications schedule: -

| <b>Plan Type</b>                                                                             | <b>Reference</b> | <b>Version</b> | <b>Date Received</b> |
|----------------------------------------------------------------------------------------------|------------------|----------------|----------------------|
| Location Plan                                                                                | -                | -              | 29/06/2026           |
| Block Plan                                                                                   | -                | -              | 08/12/2025           |
| Floor Plan and Elevations                                                                    | -                | -              | 08/12/2025           |
| Pre-Development Plan                                                                         | -                | -              | 08/12/2025           |
| SCAIL - Simple Calculation of Atmospheric Impact Limits – Output (Dated 10/09/2025)          | -                | -              | 08/12/2025           |
| Design and Access Statement and Planning Statement, Incorporating Agricultural Justification | -                | -              | 08/12/2025           |

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 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. An amended site location plan was submitted during the course of the application, revising the extent of the land identified within the blue line boundary to exclude land to the east. The application and submission documents were assessed accordingly.

