

December 2025

PLANNING
STATEMENT –
VI

ENGINEERING OPERATIONS TO PROVIDE
RAISED LAND & WILDFLOWER MEADOW AT
FORMER ELMLEIGH FARM COTTAGE, STRINGER
HOUSE LANE, EMLEY MOOR, HD8 9SU

Ref: 2721

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SECTION 1: INTRODUCTION

1. This statement has been prepared to support a planning application for the retention of earthworks to create a wildflower meadow on land associated with the former garage building at Elmleigh Farm Cottage at Stringer House Lane, Emley Moor, Huddersfield.
2. This follows correspondence with the Councils enforcement team following the demolition of an agricultural building and erection of a dwelling in its place. This has been recently completed.
3. We set out to demonstrate that the proposal accords with national and local planning policy and, when judged against this and all material considerations, it is clearly the case that notwithstanding the site's Green Belt status, planning permission should be granted.
4. This statement also sets out the background to the site including the recent planning history. The details of the proposal are then set out. Relevant planning policy and central government advice in the form of the National Planning Policy Framework is then discussed. The issues that the proposal raises are also examined and finally the conclusion is reached that planning permission should be granted. Nevertheless, the applicants remain willing to discuss all aspects of this proposal with the Council.

SECTION 2: SITE DESCRIPTION AND BACKGROUND

5. The application site comprises a rectangular area of land that extends from the garden area of the newly constructed dwelling to Broomfield Lane to the west.
6. The site is mainly level with some areas raised as a result of material from the front part of the site being deposited from the excavation of the basement of the new dwelling. The surrounding area is rural in nature, although there are some residential properties to the north and south of this site. The site is located within the Green Belt. Overall, the character of the surrounding area is a mix of agricultural grazing land and low-density residential use.
7. The site has a lengthy planning history which includes the most recent approval 2021/93165 for the demolition of existing building and the erection of a dwelling. This was approved in May 2022 and included a basement with swimming pool.
8. Prior to this, an application was approved to extend and convert the existing building to a dwelling (2016/62/91430/E). There was also a certificate of lawfulness (2019/90963) which establishes the lawful use of the buildings for storage and garaging. Planning permission was then granted for the demolition of the existing garage and erection of a dwelling in February 2020 (Ref: 2019/93646).
9. In recent times there has been correspondence with the Council's Enforcement Team regarding the raising of adjacent land and the construction of the basement associated with the application approved in May 2022 and recently constructed.

Following an exchange of communication the Council's enforcement team accept that the basement forms part of planning permission 2021/93165 and that the material seen on the adjacent land has not been imported but is from the basement excavation – this email is dated 30th September 2025. A selection of photographs provided at the time can be found in Appendix 1.

SECTION 3: PROPOSED DEVELOPMENT

10. The proposal comprises, firstly, the retention of material taken from the basement excavation and, secondly, the reprofiling of the land to more evenly spread the material across the whole of the site thus moving away from the spots of higher material currently on site. The final finished height levels and contours are shown on the drawing number 2721(100)14.
11. In terms of the scale of change the following needs to be considered. At present land has been deposited to create some high and low areas. The higher areas are shown as pink on the submitted plan 2721 (100)13. The highest areas are shown as pink dots and shown to be an increase of up to 670mm on original land levels. Some areas, typically those to the east close to Broomfield Lane remain as original.
12. This final profile, which also forms part of this application, is more akin to the profile of this part of the site prior to the construction works commencing. Once complete the land will be reseeded with a wildflower mix. In terms of finished heights this will range from 203.9m (ASL) to 196m (ASL). The intended profile means that the material is more evenly spread across the site.

SECTION 4: PLANNING POLICY ASSESSMENT – GREEN BELT

13. The site is located within the Green Belt. In this instance it is important to consider whether the development before the Council is inappropriate development in the Green Belt. In this case paragraph 154 is the most relevant. This states:

'Development in the Green Belt is inappropriate unless one of the following exceptions applies:

a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

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;

ii. engineering operations;

iii. local transport infrastructure which can demonstrate a requirement for a Green Belt location;

iv. the re-use of buildings provided that the buildings are of permanent and substantial construction;

v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

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

14. In this case part h (ii) applies to the proposal. This is an engineering operation, which, in its final form preserves openness remaining undeveloped and part of, and integrated into, the wider open landscape in the area.

15. As a reminder paragraph 143 sets out that the Green Belt serves 5 purposes. These are:

- a. to check the unrestricted sprawl of large built-up areas;
- b. to prevent neighbouring towns merging into one another;
- c. to assist in safeguarding the countryside from encroachment;
- d. to preserve the setting and special character of historic towns; and
- e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

None of these purposes are compromised as a result of this proposal, as such, the Green Belt as it relates to this area of land continues to perform as was intended in the Local Plan. Importantly, openness is maintained.

16. The adopted Kirklees Local Plan reiterates these purposes. In addition, paragraph 19.8 reminds us that it is important that development which is appropriate is not harmful to the visual amenity of the Green Belt and proposals should have regard to all other relevant policies in the plan. This includes ensuring that any impact on openness is kept to a minimum.
17. In this case the proposals satisfy all of these requirements with openness continuing to being maintained.

SECTION 5: PLANNING POLICY ASSESSMENT – OTHER POLICY MATTERS

18. In addition to Green Belt, the Kirklees Local Plan Natural Environment Policy LP30 applies to the site by virtue of its designation as a Kirklees Biodiversity Opportunity Zones.
19. In this case, the proposals do not propose any permanent loss of habitat and furthermore the proposal before the Council proposes additional strengthening as the site will be seeded and given over to a wildflower mix. Overall, Policy LP30 and its aims are not undermined.

SECTION 6: CONCLUSION

20. The proposed development is acceptable within the Green Belt by virtue of the fact that it is an engineering operation which is not inappropriate development and complies with paragraph 154 part h (ii) of NPPF Chapter 13.
21. The proposed development accords with the Kirklees Local Plan and the National Planning Policy Framework and in accordance with the NPPF should be approved without delay.

APPENDIX 1 – PHOTOGRAPHS OF EXCAVATION



Photo 1: Site at time of excavation of basement – View from Sringer House lane



Photo 2: View towards Stringer House Lane – Excavation of Basement