

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:	2026/62/90637/W
Site Address:	Almondbury Cricket Club, Fernside Avenue, Almondbury, Huddersfield, HD5 8PF
Description:	Temporary permission for EE/H3G 30.00m high climbable temporary mast on steel frame c/w 24 concrete ballast blocks; 3 EE and 3 H3G apertures and 1 300Ø dish leg mounted 3 CTIL antennas and 1 300Ø dish mounted below EE/H3G associated ancillary equipment to be in place for a temporary period of time up to 31st December 2026.
Recommending Officer:	Joanna Rednall

DECISION – CONDITIONAL TEMPORARY PERMISSION

I hereby authorise the approval of this application for a temporary period until 31st December 2026 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: 19th May 2026

The Site

The site comprises an area of open land located at Almondbury Cricket Club and is accessed via an unadopted track to the north-west. A public right of way (HUD/135/10 and HUD/135/20) is located further to the west of the site, although this is physically separated from the application site by the cricket club buildings. The site is also situated to the south of residential streets, with a primary school located immediately to the east.

The site lies within an area designated as Urban Green Space. It is not located within a Conservation Area and there are no Listed Buildings within the immediate vicinity of the site.

The Temporary Development

The applicant is seeking temporary permission for EE/H3G 30.00m high climbable temporary mast on steel frame c/w 24 concrete ballast blocks; 3 EE and 3 H3G apertures and 1 300Ø dish leg mounted 3 CTIL antennas and 1 300Ø dish mounted below EE/H3G associated ancillary equipment to be in place for a temporary period of time up to 31st December 2026.

Within an email dated 17th March 2026 the applicant confirms that there is a commitment to building the permanent solution which specifically relates to application 2023/91704, referenced to within the 'Planning History' section of this report.

Within the 17th March email it is set out that there are delays for a combination of issues / reasons in relation to undertaking the extant consent and that is the reason for the temporary works as undertaken at site and for which permission is being sought.

History of Negotiations

No amendments have been sought in the processing of this application as it was considered acceptable as submitted.

Planning History

Considered to be of relevance to the consideration of this application is the following:

2023/91704, Prior notification for proposed 20m high Valmont climbable monopole on 5.2 x 5.2 x 1.4m deep concrete base with config 2 circular headframe for 6 antenna apertures at 60°/150°/320° and 4 600 dishes; MHA's and active routers to be fixed to headframe behind antennas and associated ancillary works, **details approved 01 August 2023**

This consent is for a telecoms development within another part of Almondbury Cricket Club, specifically within the south western corner of the site adjacent to the clubhouse building.

This consent is extant, with the provisions of Schedule 2, Part 16, of the General Permitted Development Order (as amended) requiring that any works notified to the Council under these provisions must be carried out within a period of 5 years from the date on which the Local Planning Authority granted prior approval

Publicity & Representations

The Council are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, this application has been publicised as a departure from the development plan via a site notice and a press notice.

Final publicity date expired: 1 May 2026

No representations were received as a result of the publicity.

Parish/ Town Council Comments

N/A.

Consultations

No statutory consultations were requested for this application.

Allocation & Policies

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 designated as Urban Green Space within the Kirklees Local Plan. The site is within an area identified by the Mining Remediation Authority as being at lower risk of ground movement as a result of former mining activity.

Local guidance and policy is provided by the Kirklees Local Plan (adopted February 2019) as such the following policy, guidance and legislation is considered relevant to the determination of this application:-

Kirklees Local Plan (LP)

- LP1 Achieving Sustainable Development
- LP2 Place Shaping
- LP21 Highway Safety
- LP22 Parking Provision

LP24 Design
LP30 Biodiversity
LP61 Urban Green Space

National Policies and Guidance

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 12th December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16th 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.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Considered to be of relevance to the consideration of this application are policies within the following chapters:

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- Chapter 2 – Achieving sustainable development
- Chapter 9 – Promoting sustainable transport
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Supplementary Planning Guidance

House Extensions and Alterations SPD (June 2021)

Legislation

The Town & Country Planning Act 1990 (as amended).

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

1 – Principle of development:

Policy LP1 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 National Planning Policy Framework. LP1 goes on further to stating that:

The Council will always work pro-actively with applicants jointly to find solutions which mean that the proposal can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

As well as this, given the nature of the development in this application, consideration must be given to chapter 10 of the NPPF, which requires local planning authorities to support high quality and reliable communications infrastructure. It specifically states that “*planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections*”.

This application seeks temporary planning permission for a mast on steel frame c/w 24 concrete ballast blocks and associated infrastructure. Paragraph 120 of the NPPF states that “The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged”.

The proposed temporary mast infrastructure complies with the aims of paragraph 113 of the NPPF that seeks to keep the number of telecommunications installations to a minimum insofar as it is intended to be for a temporary period of time to provide coverage until a permanent (and consented) solution is undertaken.

Land allocation – Urban Green Space

The site is designated in the Local Plan as Urban Green Space (UGS) and policy LP61 (Urban green space) is central to the consideration of the proposed development. This policy states that development proposals which would result in the loss of UGS will only be permitted where:

- a) An assessment shows the open space is clearly no longer required to meet local needs for open space, sport or recreational facilities and does not make an important contribution in terms of visual amenity, landscape or biodiversity value; or
- a) Replacement open space, sport or recreation facilities which are equivalent or better in size and quality are provided elsewhere within an easily accessible location for existing and potential new users; or
- b) The proposal is for an alternative open space, sport or recreation use that is needed to help address identified deficiencies and clearly outweighs the loss of the existing green space.

This local policy basis is consistent with paragraph 103 of NPPF, which recognises that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of local communities. Furthermore, paragraph 104 of the NPPF is clear that existing open space, sport and recreational facilities should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- a) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- b) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

The supporting planning statement submitted by the applicant sets out a justification for the proposed development. It identifies the operational need for enhanced electronic communications infrastructure at this location and explains that the installation has been designed to accommodate multiple users on a single, consolidated site. The applicant has selected this site specifically because it is set back from key public vantage points, thereby reducing its visibility within the wider landscape. The location is also positioned away from residential properties, limiting potential effects on residential amenity. It is considered this is an appropriate and proportionate response to the site and temporary application context.

With regard to the designation of the land as UGS, the proposed development would not compromise the established use, accessibility, or function of the space. Although the installation would occupy a small section of the lawned area adjacent to the cricket field, the scale and footprint of the development are modest in relation to take up of land within the UGS. The temporary development would not permanently impede recreational use, nor would it lead to a permanent diminishing of the openness or character of the UGS. Consequently, and subject to condition the development is for a temporary period of time and returned to soft landscaping following its cessation officers do not consider the scheme to result in an unacceptable, permanent, loss of UGS in this case.

The development is temporary in nature. This ensures that the long-term integrity of the UGS would be preserved. A condition can be applied to secure the removal of the installation and restoration of the land at the end of the operational period, ensuring continued protection of visual amenity and the UGS designation.

The supporting planning statement also outlines the public benefits associated with the temporary development. The delivery of a improved communications network would support local businesses, enhance digital connectivity for residents, and improve service provision for visitors.

Taking into account the extant consent which would be undertaken and the temporary nature of the development it is considered the identified benefits of ensuring telecommunications service(s) are provided, whilst the development constitutes a departure from the development plan in this case it is considered there are material considerations present which outweigh this non conformance with policy LP61 in this case. Specifically these being:

- Continued operations of the Sport / recreation use able to be undertaken
- Temporary period of the installation and fact the land can be ensured to be returned to soft landscaping following the cessation of the development
- Continued service of telecommunications is ensured during the temporary period to enable undertaking of an extant, permanent, solution.

Taking all relevant matters into account, officers conclude that the principle of development is acceptable in this instance. The temporary development will therefore be assessed in detail against the applicable material planning considerations within the following sections of this report.

2 – Impact upon visual amenity

Policy LP24 (Design) of the Council's adopted Local Plan sets out 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 and minimise impact on residential amenity of future and neighbouring occupiers. Paragraph 135 of the NPPF is also of relevance to the consideration of this application.

The application site comprises part of the cricket field located off Fernside Avenue. The proposed mast is positioned such that existing tree cover provides a degree of screening from the highway to the north and east. To the south, the site opens onto the wider playing field, with residential properties situated further beyond. Owing to its height, the upper section of the mast would be visible from the west, including from the Public Right of Way that runs to the west.

The proposed development must be considered having regard to the fact an extant, permanent, telecommunications development can be undertaken in close proximity to the site (approx. 90m to the west) within the same Cricket Club setting. While the structure would be perceptible from surrounding dwellings and public viewpoints, and present / viewed in conjunction with an extant development of a similar appearance officers consider that it would not appear unduly visually intrusive on the basis it is present for the temporary period as applied for only.

It is considered that the combination of the development the subject of this application and the telecommunications equipment the subject of the extant consent (details within the 'Planning History' of this report) would be such that in combination the visual impact would be incongruous given the setting. The combination of the equipment would be considered unnecessarily numerous and have an appearance which appears out of character in the open setting of the Cricket Club and wider urban green space.

However, the development would be for a temporary period of time, and would only be in place in conjunction with the extant consent for a short period. The development is in place to ensure continued telecommunications operations. These factors are material considerations which are considered to outweigh the identified harmful impact that would arise were both developments present upon the site. Conditions to secure removal of the temporary works the subject of this application and return the land to a soft landscaped area can be ensured. Whilst there is a degree of harm identified, visually, it is considered this can be suitably mitigated by ensuring the works are in place for a temporary period only.

On this basis, subject to conditions, the temporary development is considered to comply with Policy LP24(a) of the Kirklees Local Plan, which seeks to ensure that development respects and enhances the character of its surroundings, as well as Chapter 12 of the NPPF, which emphasises achieving well-designed places.

3 – Impact on residential amenity:

Policy LP24 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework seeks to ensure development has an acceptable impact upon the amenity of neighbouring occupiers

The closest neighbouring residential properties likely to be affected by the development are those located to the south of Fernside Avenue, approximately 100 metres to the north of the application site. Given this separation distance, together with the scale and siting of the development, it is not considered that the development would appear overbearing or result in any overshadowing impacts upon these properties.

It is therefore considered that in terms of residential amenity, the development would comply with Policy LP24 of the Kirklees Local Plan and advice within Chapter 12 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application.

Existing access points are used, for the construction and removal as well as any maintenance. These are considered to result in relatively low levels of

traffic movements and any parking for such vehicles is possible within the site. As such the resultant impact of the development upon access and highway safety / parking is considered to be acceptable in this case.

Given the nature and siting of development as proposed, there would be no adverse impact on highway safety, efficiency and parking, consistent with policies LP21 and LP22 of the KLP.

5 – Other matters:

Ecology

Chapter 15 of the National Planning Policy Framework are relevant, together with The Conservation of Habitats and Species Regulations 2017 which protect, by law, the habitat and animals of certain species including newts, bats and badgers.

Policy LP30 of the Kirklees Local Plan requires that proposals protect Habitats and Species of Principal Importance.

A Biodiversity Net Gain (BNG) of 10% for developments is a mandatory requirement in England under the Environment Act 2021, subject to some limited exceptions. Unless exempt, every planning permission for minor sites granted pursuant to an application submitted after 02 April 2024 is deemed to have been granted subject to a pre-commencement condition requiring a Biodiversity Gain Plan to be submitted and approved by the local planning authority prior to commencement of the development.

The applicant has stated the application falls under the 'Di-Minimus' exemption category within the application forms. This is accepted by the LPA. Therefore, in light of the submitted detail it is considered the application is exempt from a BNG uplift.

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 pre-dates 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.

Considering the temporary nature of the proposed development, it is considered that the proposed development would not have an impact on

climate change that needs mitigation to address the climate change emergency.

6 – Representations:

None received

7 – 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 that on the basis the development is temporary in accordance with the details as applied for, it would constitute sustainable development and is therefore recommended for approval.

Decision Authorisation - Delegated Powers

Application Number: 2026/90637

Officer Recommendation: Conditional Temporary Permission

Conditions

1. The development is hereby approved for a temporary period until 31st December 2026 only.
Reason: For the avoidance of doubt as to what is authorised by this permission
2. Within 30 days of 31st December 2026, all equipment associated with the development hereby approved shall be removed in its entirety and the land shall be seeded with grass and restored to soft landscape which is thereafter retained.
Reason: In the interests of visual amenity and to safeguard designated Urban Green Space, and to accord with policies LP24 and LP61 of the Kirklees Local Plan and policies in Chapters 8 and 12 of the National Planning Policy Framework.
3. 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 accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document, and Policies within Chapters 2, 9, 12 and 14 of the

National Planning Policy Framework

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Site Location Plan	1718735_KKS252_36739_H D505_M005	B3	06/03/2026
002 Site Location Plan	1718735_KKS252_36739_H D505_M005	B3	09/03/2026
Existing Site Plan	1718735_KKS252_36739_H D505_M005	B3	09/03/2026
Existing Elevation A	1718735_KKS252_36739_H D505_M005	B3	09/03/2026
Proposed Max Configuration Site Plan	1718735_KKS252_36739_H D505_M005	B3	06/03/2026
215 Proposed Max Configuration Elevation A	1718735_KKS252_36739_H D505_M005	B3	09/03/2026
Lease Demise	1718735_KKS252_36739_H D505_M005	B3	09/03/2026
Site Specific Supplementary Information	-	-	09/03/2026
Declaration of Conformity with ICNIRP Public Exposure Guidelines	-	-	06/03/2026
Application form	-	-	06/03/2026

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. No amendments were sought as it was considered that the temporary development was acceptable as submitted.

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