

PLANNING STATEMENT

Variation of Condition 1 – Substitution of Plan

Application Reference: 2025/62/91534/E

Substitution of Approved Drawing 1672_03

1. Introduction

This Planning Statement has been prepared in support of a Section 73 application seeking to vary a condition attached to planning permission reference **2025/62/91534/E**.

The application seeks to vary the approved plans condition to allow the substitution of drawing **1672_03** with an amended version – **26-003-01**

The proposed amendments are modest and relate to operational functionality. The development remains a barn-style stable building positioned adjacent to the applicant's existing agricultural building. The amendments do not alter the character, use, or overall design approach of the approved scheme.

2. Legislative Context

This application is made pursuant to Section 73 of the **Town and Country Planning Act 1990**, which enables an applicant to seek permission to develop land without complying with conditions previously imposed.

The description of development remains unchanged. The application solely seeks to vary the approved plans condition to substitute drawing 1672_03.

3. Site and Surroundings

The site lies within the designated Green Belt and contains an existing agricultural building. The surrounding area is characterised by open countryside with sporadic agricultural development.

The approved stable building is positioned immediately adjacent to the existing agricultural building, forming a logical and visually cohesive group of structures.

4. Planning History

Planning permission was granted under reference **2025/62/91534/E** for the erection of a barn-style stable building and Menage.

A condition was imposed requiring the development to be carried out in accordance with approved drawings, including drawing number 1672_03.

The principle of a stable building in this location has therefore been established.

5. Description of Proposed Amendments

The amendments to drawing 1672_03 comprise:

- An increase in eaves height to allow accommodation of the applicant's horse box;
- A minor amendment to the overall dimensions of the barn to ensure practical functionality;
- Alignment of the eaves and ridge height with the adjacent existing agricultural building.

The revised building remains barn-style in design and continues to reflect an agricultural form appropriate to its rural setting.

Importantly:

- The ridge height will match the existing agricultural building;
 - The stable remains directly adjacent to that building;
 - There is no change in use;
 - The increase in footprint and height is modest and proportionate.
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6. Reasons for the Amendments

The approved barn design does not meet the operational needs of the applicant. The existing approved eaves height is insufficient to accommodate the applicant's horse box within the building.

Secure internal storage of the horse box is a functional requirement directly associated with the equestrian use of the site.

Without the proposed amendment:

- The horse box could not be stored internally;
- External storage would be required, leading to greater visual impact and site clutter;
- The approved building would not adequately serve its intended purpose.

The modest increase in height ensures the building functions properly while maintaining visual consistency with the adjacent agricultural structure.

7. Planning Policy Context

The site lies within the Green Belt. National Green Belt policy is set out within the **National Planning Policy Framework (NPPF)**.

The NPPF confirms that inappropriate development in the Green Belt is, by definition, harmful and should not be approved except in Very Special Circumstances.

8. Green Belt Assessment

8.1 Impact on Openness

The proposed amendments result in only a modest increase in height and footprint compared to the approved scheme.

The building:

- Is located adjacent to an existing agricultural building;
- Will match that building's eaves and ridge height;
- Forms part of an established cluster of development.

There is no new encroachment into open countryside beyond the already approved building envelope.

Any additional impact on openness beyond the approved scheme is limited and localised.

8.2 Green Belt Purposes

The proposal does not conflict with the five purposes of including land within the Green Belt. In particular, it does not:

- Contribute to urban sprawl;
 - Result in settlement coalescence;
 - Extend built development into previously undeveloped areas beyond what has already been approved;
 - Affect the setting of a historic settlement;
 - Undermine urban regeneration objectives.
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9. Very Special Circumstances

If the modest increase in height and footprint is considered inappropriate development, Very Special Circumstances clearly exist and outweigh any limited harm.

1. Operational Necessity

The approved building cannot accommodate the applicant's horse box due to insufficient eaves height. The amendment is necessary to ensure the stable functions for its intended equestrian use.

2. Visual Betterment

Internal storage of the horse box avoids external parking and storage, which would likely result in greater visual clutter and impact on openness than the modest height increase.

3. Consolidation of Built Form

The building will match the height of the adjacent agricultural building and sit immediately alongside it. This reinforces an existing built grouping rather than creating dispersed development.

4. Fallback Position

There is an extant planning permission for a stable building in this location. The principle of development has been accepted. The proposal merely refines dimensions to ensure usability.

10. Residential Amenity and Visual Impact

The proposal does not introduce additional overlooking, overshadowing, or overbearing impact.

Given the rural location and proximity to an existing agricultural structure, visual impact is minimal. The barn-style design remains consistent with rural character.

11. Planning Balance

The proposal results in, at most, limited additional harm to openness beyond the approved scheme.

This limited harm is clearly outweighed by:

- The operational requirement for secure horse box storage;
- The avoidance of external storage and associated visual clutter;
- The consolidation of development alongside an existing agricultural building;
- The fallback position established by the extant permission.

Taken together, these considerations amount to Very Special Circumstances.

12. Conclusion

This Section 73 application seeks to vary the approved plans condition to substitute drawing 1672_03 with an amended version reflecting modest dimensional changes.

The amendments:

- Are operationally necessary;
- Maintain the barn-style rural character;
- Match the adjacent agricultural building in height;
- Result in only limited additional impact on Green Belt openness;
- Are supported by Very Special Circumstances.

The proposal complies with the provisions of the Town and Country Planning Act 1990 and the National Planning Policy Framework.

Accordingly, it is respectfully requested that **Kirklees Council** grants planning permission for the variation of condition as applied for.