

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 73

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS TO
CARRY OUT DEVELOPMENT WITHOUT COMPLIANCE WITH PLANNING
CONDITIONS PREVIOUSLY ATTACHED**

Reference No:	2026/70/90833/E
Site Address:	Springfield Farm, 15, Moorside, Cleckheaton, BD19 6JH
Description:	Variation of conditions 2 (plans) and 8 (materials) on previous permission 2025/91534 for erection of stable block and formation of riding menage
Recommending Officer:	Danielle Cooper

DECISION – VARIATION OF CONDITIONS APPROVED

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.

Emma Thompson

AUTHORISED OFFICER

Date: 26-May-2026

Officer Report

2026/90833

Site Description

Springfield Farm, 15, Moorside, Cleckheaton, BD19 6JH

The application site is a hard surfaced enclosed area which is located off a surfaced, single width private drive accessed via Moorside and open green space to the south of the application site. The open green space is located on a higher land level to that of the existing hardstanding.

An existing agricultural building is located west of the application site.

The site is bound by hedging.

The site is allocated as Urban Green Space.

Description of Proposal

Variation of conditions 2 (plans) and 8 (materials) on previous permission 2025/91534 for erection of stable block and formation of riding menage.

Condition 2 of previous permission 2025/91534 reads as follows:

“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, LP30, LP51, LP52, LP53 and LP61 of the Kirklees Local Plan and policies contained within Chapters 2, 12, 14 and 15 of the National Planning Policy Framework.”*

The length of the building has been increased from 18.6m to 18.76m and the width of the building has been increased from 11m to 11.3m. The eaves of the building has been increased from 2.5m to 4.9m and the ridge height from 3.6m to 5.9m.

The updated plans also show the building to have two sliding doors. One of the side and one on the front elevation.

The proposed alterations are required to allow accommodation of the applicant's horse box and to ensure practical functionality.

“8. The building hereby approved shall be constructed in accordance with the materials of construction as detailed upon submitted drawing ref: 03. The roof of the building hereby approved shall be of a black or dark brown or dark

green colour finish. The development shall not be brought into use until it has been completed with the materials and colour finishes approved by this condition.

Reason: *In the interests of visual amenity to ensure satisfactory appearance of the building upon completion to accord with policy LP24 of the Kirklees Local Plan and policies within Chapter 12 of the National Planning Policy Framework.”*

Due to the proposed alterations as explained above, new proposed elevation plan has been submitted and as such the plan identified within condition 8 is sought to be updated.

History of negotiations/amendments received

Kirklees Development Management Charter together with the National Planning Policy Framework and the DMPO 2024 encourages negotiation/engagement between Local Planning Authorities and agents/applicants.

The proposal description was updated to include the variation of condition 8 also as this condition would require rewording also to reflect the proposed alterations.

A proposed site plan was also requested to be submitted to reflect the proposed changes.

Relevant Planning History

2025/91534 - Erection of stable block and formation of riding menage – Approved

2021/92300 - Erection of agricultural building - Withdrawn

2021/94638 - Variation of condition 2 (plans) on previous permission

2017/92760 variation of condition 2 (plans) on previous permission

2014/90108 for erection of detached dwelling, change of use and extension to existing dwelling to form children's day nursery and erection of detached store – Approved

2019/93237 - Erection of stable block - Approved

2019/90142 - Erection of stable block – Withdrawn

2018/90403 - Erection of detached dwelling (modified proposal) – Approved

2017/92760 - Variation of condition 2 (plans) on previous permission

2014/90108 for erection of detached dwelling, change of use and extension to

existing dwelling to form children's day nursery and erection of detached store
– Approved

2014/90108 for erection of detached dwelling, change of use and extension of existing dwelling to create children's day nursery and erection of detached store – Approved

2017/90473 - Erection of detached dwelling – Approved

2014/90108 - Erection of detached dwelling, change of use and extension to existing dwelling to form children's day nursery and erection of detached store – Conditional Full Permission

2006/94993 – use of land for siting of static caravan – Refused

2003/95098 - Deemed application via enforcement appeal for erection of field shelter/store and associated surfaced access – Approved

2002/94210 – Erection of field shelter for machinery storage and workroom – refused

It is noted that a building is present at site, this appears to be the building sited upon the land as permitted by previous permission (2021/94638). Aerial imagery indicates the location of the stables has been hard surfaced since 2016, which would constitute operational development which has become lawful by virtue of the passage of time.

Representations

Final publicity date Expires:

The application was advertised by site notice and the press. Final expiry date for the publicity was the 15th May 2026.

No representations have been received.

Consultation Responses

None.

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 on land allocated as Urban Green Space on the Kirklees Local Plan. Specifically the site is identified as being natural / semi natural green space and forms part of a large parcel of land (43.8 hectares) which is the subject of this allocation.

Kirklees Local Plan (LP):

- LP 1 – Achieving sustainable development
- LP 2 – Place shaping
- LP 21 – Highways and access
- LP 22 – Parking
- LP 24 – Design
- LP 30 – Biodiversity and geodiversity
- LP 51 – Protection and improvement of local air quality
- LP 52 – Protection and improvement of environmental quality
- LP 53 – Contaminated and unstable land
- 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) updated 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. Most specifically in this instance, the below chapters are of most relevance:

- Chapter 2 – Achieving sustainable development
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

Other Material Considerations:

Kirklees Highway Design Guide (adopted November 2019)
The Biodiversity Net Gain Technical Advice Note

Assessment

The following matters are considered in the assessment below –

- 1) Principle of Development
- 2) Impact on Visual Amenity

- 3) Impact on Residential Amenity
- 4) Impact on Highway Safety
- 5) Other Matters
- 6) Representations
- 7) Conclusion

Variation of condition:

1 – Principle of development

The proposal is for the erection of a stable block and menage. The stables will be situated on existing hardstanding and the menage will be situated on the open field.

The site is allocated as Urban Greenspace (UGS) (site UGS315) being part of a large area of high quality attractive green space/grassland which has the appearance of countryside and makes an important contribution to the landscape character and appearance.

Local Plan Policy LP61 (Urban Green Space) is therefore applicable to this proposal and protects urban green space from development unless specific exceptions can be met. The policy states that:-

“Development proposals which would result in the loss of urban green space (as identified on the Policies Map) 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
- b. 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
- c. 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.

The protection set out in this policy also applies to smaller valuable green spaces not identified on the Policies Map.”

The requirements policy LP61 are in conformance with those within chapter 8 of the NPPF.

The council’s open space assessment of the wider site, undertaken as part of the Kirklees Open Space Study (2016), identifies the whole urban green space as having high value as open space and not surplus to requirements. In relation to this policy the development will replace some of the identified urban space which comprises an open field/grassed area. This would be with an access / menage. The proposed stable building is upon land currently hard surfaced.

The principle of the approved stables and menage has already been established under application 2025/91534.

The proposed alterations relate to the previously approved stables. Although the footprint of the building will be increased slightly, the changes are not considered to have a significant impact on the Urban Green Space. The footprint of the stable building remain broadly consistent with what has already been approved, and the amendments are therefore regarded as acceptable.

The proposal is considered to be acceptable and material considerations are considered to exist such that they indicate that in this case the departure from policy LP61 of the Kirklees Local Plan and policies within Chapter 8 of the NPPF is acceptable in this case.

2 – Impact on visual amenity:

Section 12 of the NPPF discusses good design. Good design is a key aspect of sustainable development, it creates better places in which to live and work and helps to make development acceptable to communities. Local Plan Policies LP2 and most importantly LP24, are all also relevant. All the policies seek to achieve good quality design that retains a sense of local identity, which is in keeping with the scale of development in the local area and is visually attractive.

The proposed menage and access track will remain as approved.

The proposed alterations relate to the approved stables. It is proposed that the length of the building is increased from 18.6m to 18.76m and the width of the building is increased from 11m to 11.3m. The eaves of the building has been increased from 2.5m to 4.9m and the ridge height from 3.6m to 5.9m. The updated plans also show the building to have two sliding doors. One of the side and one on the front elevation.

The proposed increase in the footprint of the stables is considered minor and does not raise any concerns. While the ridge and eaves heights will be increased significantly compared with the approved scheme, the agent has explained that the additional height is required to ensure the building functions effectively. The proposed height will also align with that of the adjacent agricultural building. Given the rural context—characterised by open fields and other agricultural structures of comparable scale—the increased height and overall scale are regarded as visually acceptable and will not harm the character or appearance of the surrounding area. It is further noted that the building will not be readily visible from public vantage points within the streetscape.

The proposal also includes amendments to the building's openings, introducing two sliding doors. These changes are considered to integrate well with the overall design and raise no visual concerns.

The proposed materials remain consistent with those previously approved. A condition will be reimposed requiring the roof to be finished in a dark brown, green, or black colour, and ensuring that all materials accord with those specified on drawing 26-003-01.

When taking the above into consideration, the impact on visual amenity, and the urban greenspace is considered to be acceptable, in accordance with Policy LP24 of the KLP and the aims of Chapter 12 of the NPPF.

3 – Impact on residential amenity:

With regards to residential amenity, Policy LP24 of the KLP advises that proposals should ensure that a high standard of amenity is achieved for neighbouring occupiers.

There are no residential dwellings within close proximity of the proposed stable block which could be affected as a result of the structure itself with regards to over shadowing or overlooking.

The condition restricting the use of the stables for private use only by the residents of Springfield Farm, 11 Moorside in order to ensure that the use of the stables does not detract from the level of residential amenity enjoyed by residents of Moorside by increased traffic movements and noise from the site will be re-imposed.

The use of the site for the keeping and grazing of horses will generate waste which has the potential to impact on nearby properties through smell and pollution. A waste management statement has been submitted in the original application which explains how the stables will be cleaned and drainage systems will undergo regular inspection. Regular waste collection shall be collected by a local agricultural contractor monthly at minimum, with waste used for agricultural land spreading in accordance with established farming practices.

A permanent muck storage facility will be constructed.

The condition ensuring the development operates in accordance with the submitted waste management scheme document to ensure the stables is effectively dealt with in regard to odour and flies will be re-imposed.

To conclude, there is not considered to be a significant impact on the residential amenity of neighbouring occupants, subject to the inclusion of the suggested conditions, thus complying with Policies LP24 and LP52 of the Kirklees Local Plan and the aims of Chapters 12 and 15 of the National Planning Policy Framework.

4 – Impact on highway safety:

Policies LP21 and LP22 of the Kirklees Local Plan, The Council's adopted Highway Design Guide and Chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application.

The proposal is for the erection of a stable block and menage.

The stable and menage would utilise the existing entrance and access.

The applicant has confirmed that the stables would be for their own private use and not sold or rented out separately. Given the nature of the access and existing uses served by it, it would be necessary to re-impose the condition, restricting the use of the stables to that of a private use, in the interests of highway efficiency and safety. This would ensure that the development accords with Policy LP21 of the KLP.

5 – Other matters:

Climate Change/Ecology/Land Stability

Matters relating to climate change, ecology and land stability have been assessed under planning approval: 2025/91534 and as such no further consideration is required.

6 – Representations:

None.

7 – Conditions:

As this is a S73 (variation of condition) application, a review of all conditions upon the original consent is required to be undertaken. The following conditions were added to the previous permission 2025/91534:

1. The development shall be begun not later than the expiration of three years beginning with the date on which permission is granted.

This condition shall remain as worded.

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.

This condition shall remain as worded, however the plans table will be updated to ensure the development is constructed in accordance with the proposed amendments.

3. The stable block and menage hereby approved shall be used solely for private use for the stabling of horses owned by the occupants of Springfield Farm, 11 Moorside, Cleckheaton, BD19 6JH and shall not be used for any commercial purposes. No part of the building shall be sold or rented out separately.

This condition shall remain as worded.

4. No works shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Summary of potentially damaging activities
- b) Identification of "biodiversity protection zones"

- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements)
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
- The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.
This condition shall remain as worded.

5. A Biodiversity Enhancement Management Plan must be provided to the LPA prior to the commencement of works on-site. It must include the following items that will be installed post development:

- 2no bat boxes
- 2no bird boxes
- Small holes within fences (and other mechanisms) for hedgehogs' mobility.
- A planting scheme should be implemented within the scheme to create a trees and hedgerows. Plantings should comprise native species of high biodiversity value

This condition shall remain as worded.

6. Prior to the installation of any external lighting, a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), shall be submitted to, and approved in writing by, the Local Planning Authority. The Sensitive Lighting Strategy will demonstrate that the lighting will not impact upon ecological networks and/or sensitive features. External lighting shall be installed in accordance with the specifications and locations set out within the approved lighting scheme and retained thereafter.

This condition shall remain as worded.

7. The approved stables and menage shall operate in accordance with the submitted Waste Management Plan, received 31/07/2025. The development thereafter shall be carried out in complete accordance with the approved details.

This condition shall remain as worded.

8. The building hereby approved shall be constructed in accordance with the materials of construction as detailed upon submitted drawing ref: 03. The roof of the building hereby approved shall be of a black or dark brown or dark green colour finish. The development shall not be brought into use until it has been completed with the materials and colour finishes approved by this condition.

This condition will be amended to reflect the updated proposed elevation drawings as follows:

The building hereby approved shall be constructed in accordance with the materials of construction as detailed upon submitted drawing ref: 26-003-01 Rev A. The roof of the building hereby approved shall be of a black or dark brown or dark green colour finish. The development shall not be brought into use until it has been completed with the materials and colour finishes approved by this condition.

7 – Conclusion:

This application for variation of conditions 2 (plans) and 8 (materials) on previous permission 2025/91534 for the erection of stable block and formation of riding menage at Springfield Farm, 15, Moorside, Cleckheaton, BD19 6JH, 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.

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.

As set out above, 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 it is, therefore, recommended for approval.

Recommendation: Approve.

Decision Authorisation - Delegated Powers

Application Number: 2026/90833

Officer Recommendation: Approve

Conditions and Reasons:

1. The development hereby permitted shall be begun prior to the 10th November 2028.

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 so as to ensure the satisfactory appearance of the development on completion, and

to accord with Policies LP1, LP2, LP21, LP22, LP24, LP30, LP51, LP52, LP53 and LP61 of the Kirklees Local Plan and policies contained within Chapters 2, 12, 14 and 15 of the National Planning Policy Framework.

3. The stable block and menage hereby approved shall be used solely for private use for the stabling of horses owned by the occupants of Springfield Farm, 11 Moorside, Cleckheaton, BD19 6JH and shall not be used for any commercial purposes. No part of the building shall be sold or rented out separately.

Reason: To protect the amenities of occupiers of residential premises which share the access road to the site from any intensification of use that would arise from the commercial/livery use of stables, in the interest of highway safety and to accord with Policies LP21 and LP24 of the Kirklees Local Plan.

4. No works shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Summary of potentially damaging activities
- b) Identification of "biodiversity protection zones"
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of biodiversity and in accordance with Kirklees Local Plan Policy LP30 and Chapter 15 of the National Planning Policy Framework.

5. A Biodiversity Enhancement Management Plan must be provided to the LPA prior to the commencement of works on-site. It must include the following items that will be installed post development:

- 2no bat boxes
- 2no bird boxes
- Small holes within fences (and other mechanisms) for hedgehogs' mobility.
- A planting scheme should be implemented within the scheme to create a trees and hedgerows. Plantings should comprise native species of high biodiversity value

Reason: In the interests of biodiversity and in accordance with Kirklees Local Plan Policy LP30 and Chapter 15 of the National Planning Policy Framework.

6. Prior to the installation of any external lighting, a detailed lighting scheme, developed in accordance with established guidance (e.g. Bat Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night), shall be submitted to, and approved in writing by, the Local Planning Authority. The Sensitive Lighting Strategy will demonstrate that the lighting will not impact upon ecological networks and/or sensitive features. External lighting shall be installed in accordance with the specifications and locations set out within the approved lighting scheme and retained thereafter.

Reason: In the interests of biodiversity and in accordance with Kirklees Local Plan Policy LP30 and Chapter 15 of the National Planning Policy Framework.

7. The approved stables and menage shall operate in accordance with the submitted Waste Management Plan, received 31/07/2025. The development thereafter shall be carried out in complete accordance with the approved details.

Reason: To protect the amenities of the occupiers of the nearest unconnected residential properties, to ensure an adequate waste management plan is in place throughout the lifetime of the development in accordance with Policies LP24 and LP52 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

8. The building hereby approved shall be constructed in accordance with the materials of construction as detailed upon submitted drawing ref: 26-003-01 Rev A. The roof of the building hereby approved shall be of a black or dark brown or dark green colour finish. The development shall not be brought into use until it has been completed with the materials and colour finishes approved by this condition.

Reason: In the interests of visual amenity to ensure satisfactory appearance of the building upon completion to accord with policy LP24 of the Kirklees Local Plan and policies within Chapter 12 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.

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	Version	Date Received
Location Plan	1672 01	A	11/06/2025
Existing and Proposed Site Plans	1672 02		20/05/2026
Proposed Barn	26-003-01	A	20/05/2026
Planning Statement			04/06/2025
Climate Change Statement			11/06/2025
Coal Letter	JC/JKB/Katie's Kinder Care 01		17/06/2025
Waste Management Plan			31/07/2025
Fees Table for Biodiversity Net Gain			13/10/2025
Baseline Biodiversity Net Gain Assessment			13/10/2025
Preliminary Ecological Appraisal			13/10/2025
The Statutory Biodiversity Metric			13/10/2025

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.