

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:	2026/62/91078/W
Site Address:	Carter Plantation Farm, Thick Hollins Road, Meltham, Holmfirth, HD9 3XD
Description:	Erection of agricultural building
Recommending Officer:	Joanna Rednall

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: 12th June 2026

Officer Report

Site Description

Carter Plantation Farm, Thick Hollins Road, Meltham, Holmfirth, HD9 3XD

The site comprises an area of grass ~200 metres to the west of Thick Hollins Road, and within the open countryside. To the west of the site is relatively large and modern agricultural building, and this is set above the site. The site is accessed via a long unmade straight track off Thick Hollins Road which runs past the Carter Plantation (which is to the north of the track) and serves the aforementioned agricultural building. A stone boundary wall sits on the west and south boundaries of the site.

An area of protected trees (ME1/57/w12) lie immediately east of the site.

The site is within the Green Belt. The site is not within close proximity to a conservation area or any listed buildings

Description of Proposal

The application seeks planning permission for the erection of an agricultural building.

The proposed building would have a footprint of 18.2m x 13.7m, a pitched roof design with a total roof height of 6m. The building would be finished in concrete panels to the low levels with green profiled sheets above. The roof would be finished in grey fibre cement sheets. There are openings to the north, west and east facing elevations providing gated access to the building.

History of negotiations/amendments received

An amended proposed block plan was received demonstrating a no dig or storage area relating to the proposed building to ensure no damage to trees or root protection areas. The revised plan has been reviewed by KC Trees and considered acceptable by officers, therefore the application has been progressed to determination on the basis of this plan.

Relevant Planning History

The planning history for the site relates to the following:

2008/94472: Erection of agricultural building and access track – withdrawn

2009/93118: Erection of agricultural building – conditional full permission

2014/92528: Erection of agricultural building – conditional full permission

2015/90927: Erection of farm workers dwelling – conditional full permission

2022/90206: Erection of agricultural workers dwelling - conditional full permission

2023/92486: Non material amendment to previous permission 2022/90206 for erection of agricultural workers dwelling – NMA approved

Representations

This application was advertised via site notice and online, in accordance with the Council's Development Management Charter. Final publicity expired on 29 May 2026. No representation was received.

Consultation Responses

KC Highways – No objections.

KC Trees– Following the submission of further information, no objection.

KC Ecology – No objections, recommends conditions including a CEMP, lighting strategy, tree protection, and a habitat management monitoring plan.

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 within the Green Belt within the Kirklees Local Plan. As such the following policies are considered relevant in the determination of this application:

Kirklees Local Plan (LP):

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping

- LP3 – Location of New Development
- LP7 – Efficient and Effective Use of Land and Buildings
- LP10 – Supporting the Rural Economy
- LP21 – Highways and Access
- LP22 – Parking
- LP24 – Design
- LP30 – Biodiversity & Geodiversity
- LP51 – Protection and Improvement of Local Air Quality
- LP52 – Protection and Improvement of Environmental Quality
- LP54 – Buildings for agriculture and forestry

Other Guidance Documents:

- Kirklees Highway Design Guide (2019)

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) updated 12th 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 4 – Decision-making
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt Land
- Chapter 15 – Conserving and enhancing the natural environment

Assessment

1 - Principle of Development:

NPPF Paragraph 11 and LP1 outline a presumption in favour of sustainable development. Paragraph 8 of the NPPF identifies the dimensions of sustainable development as economic, social and environmental (which

includes design considerations). It states that these facets are mutually dependent and should not be undertaken in isolation.

The dimensions of sustainable development will be considered throughout the proposal. Paragraph 11 concludes that the presumption in favour of sustainable development does not apply where specific policies in the NPPF indicate development should be restricted. This too will be explored.

Green Belt

The application site is within the Green Belt as located on the Kirklees Local Plan. Paragraph 142 of the NPPF states: *“The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”*

Paragraph 154 outline that new buildings in the Green Belt are inappropriate unless it falls under an exception. Relevant to this application is exception a) buildings for agriculture and forestry.

Policy LP54 of the Kirklees Local Plan outlines the requirements for buildings for agriculture in the green belt. It states: *“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.”*

The submitted design and access statement states:

“The farm is predominantly a livestock farm but also produces their own crops, principally hay and silage. The livestock levels fluctuate but currently has 140 head of breeding ewes, 20 shearlings, 70 lambs and 150 head of cattle are bred and raised on the farm for the food chain. [...]

The proposed building will house suckler calves, these will be either bought in or weaned from cows at the farm base and moved into the proposed building to be brought on and finished on a rich, high-concentrate diet to reach target

slaughter weight rapidly. The building will be run on a deep bed system with a central aisle to enable ease of feeding/checking and monitoring. The building, as illustrated on the proposed plan will provide 3 principal livestock areas (pen 1, 2 & 3). These will house different age ranges of cattle through to finishing. A small portion of the proposed building, adjacent to the opening on the North Elevation, will occupy a handling system to enable stock to be treated, weighed and separated from other stock. This area will also be used for loading finished stock to be taken to market/the abattoir.

The proposed building at 60' x 45' (18.2 x 13.7m) will provide an overall internal floor space of circa 250m². The three combined pens will provide a total area of 156m². These loose housing pens will accommodate on average 20 – 30 head of cattle. Naturally larger (heavier liveweight) cattle require more space)."

Officers are satisfied the above information demonstrates the building is genuinely required for the purposes of agriculture and as such the proposal complies with LP54(a).

Regarding LP54(b), the proposed building would be to the rear of an existing farmyard in close proximity to existing buildings. The design and access statement states that given the topography of the area and retention of the yard area, it is not possible to extend one of the other buildings. The location of the building is therefore considered acceptable in this instance.

With regard to LP54(c), the nearest residential dwelling is over 70m from the proposed building. This is considered a sufficient distance from the proposed building to prevent any overbearing or overshadowing harm in terms of the structure. Regarding the use, the introduction of an additional building within an existing agricultural site is considered to not cause any significant harm to residential amenity over and above the existing arrangements on site. The proposal is therefore considered to comply with LP54(c).

The design of the proposed building is agricultural in nature and would be finished in green profiled sheets above concrete panels which is in keeping with the rural setting of the site. As such the scheme is considered to comply with LP54(d) of the Kirklees Local Plan.

Taking the above into account, the proposed development is considered to fall under exemption a) of paragraph 154 of the NPPF and as such would not be considered inappropriate development in the green belt. The scheme would also comply with Policy LP54 of the Kirklees Local Plans and therefore the principle of the proposed development is considered acceptable.

A more detailed assessment of the proposal's design and its impact on the surrounding environment, assessed against Policy LP24 of the Kirklees Local

Plan amongst other Policies, is undertaken in the following sections of this report.

2 - Impact on Visual Amenity:

The NPPF offers guidance relating to design in Chapter 12 (achieving well designed places) provides a principal consideration concerning design which states: “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

Kirklees Local Plan policies LP1, LP2 and significantly LP24 all also seek to achieve good quality, visually attractive, sustainable design to correspond with the scale of development in the local area, thus retaining a sense of local identity. LP24 states that proposals should promote good design by ensuring: “a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape...”

As outlined in detail above, the application is for an agricultural building which would facilitate the agricultural operations of the site. The structure would be in keeping with the rural setting in terms of design and materials and is located in adjacent to existing agricultural buildings in the wider site. A condition to ensure the materials of construction are those as set out as part of the application is recommended.

In conclusion, subject to condition, it is considered the proposed development would not cause significant harm to the visual amenity of the wider rural setting and would comply with the aims of Chapter 12 and 13 of the NPPF by contributing positively to the surrounding area and would be in accordance with Policy LP24 of the Kirklees Local Plan.

3. Impact on Residential Amenity

Sections B and C of LP24 state that development should: “maintain appropriate distances between buildings’ and ‘minimise impact on residential amenity of future and neighbouring occupiers”. Further to this, Chapter 12 of the National Planning Policy Framework states that planning decisions should ensure that developments have a high standard of amenity for existing and future users.

As discussed in detail in the principle of development section, the proposed development is not considered to cause significant harm over and above the

existing arrangements on site. The distance of the proposal from neighbouring occupiers is considered sufficient to mitigate impact arising from noise / odour associated with the use, and the proposal would not be unduly oppressive / overbearing or lead to unacceptable levels of overshadowing / overlooking as a result.

Given the above, the proposal is not considered to give rise to any undue adverse impacts upon neighbouring residential amenity, as such, this aspect of the proposal is considered to be acceptable. It is therefore concluded that the proposals comply with Policy LP24 and LP54 of the Kirklees Local Plan, Chapter 12 and 13 of the National Planning Policy Framework.

4. Impact on Highway Safety

Turning to highway safety, Local Plan Policies LP21 and LP22 are relevant and seek to ensure that proposals do not have a detrimental impact to highway safety and provide sufficient parking. Chapter 9 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The Highway Design Guide SPD is also relevant.

The proposed development would utilise the existing access off Thick Hollins Road. KC Highways Development Management (HDM) have been consulted on the proposal. As the proposed building would be ancillary to the existing use of the site and there is not anticipated to be a significant increase in journeys to or from the site KC HDM have no objection to these proposals.

Overall, it is considered that the proposed development would not cause significant harm to the efficiency or safety of the highways, over and above the existing arrangements on site. The proposed development therefore complies with Policy LP21 and LP22 of the Kirklees Local Plan, the aims of the Kirklees Highways Design Guide SPD and Chapter 9 of the National Planning Policy Framework.

5. Other Matters

Biodiversity

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 granted pursuant to an application submitted after 12 February 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.

KC Ecology have been consulted on the proposed development. A biodiversity net gain assessment has been submitted as part of the application. Officers note that, due to the off-site creation of habitat units, a Habitat Management and Monitoring Plan (HMMP) condition is required and should be attached to any planning permission granted. In addition, officers recommend the inclusion of conditions for a Construction Environmental Management Plan (CEMP), a Lighting Strategy, and Tree Protection Measures to ensure ecological interests are safeguarded throughout construction and operation.

Subject to inclusion of the recommended conditions, having regard to the submitted Biodiversity Net Gain assessment and response of the Council's Ecologist, the proposed development is considered to comply with policy LP30 of the Kirklees Local Plan and policies within Chapter 15 of the NPPF. The proposal is therefore considered to be acceptable in this regard.

Trees

There is a Tree Preservation Order (TPO) along the western boundary of the site.

The Order prohibits the:

- cutting down
- topping
- lopping
- uprooting
- wilful damage and
- wilful destruction

of trees without the local planning authority's written consent. If consent is given, it can be subject to conditions which have to be followed. The cutting of roots is also a prohibited activity and requires the authority's consent.

There is a group of protected trees immediately to the east of the proposed building. During the assessment of the application, KC Trees requested additional information regarding the Root Protection Areas (RPAs), or alternatively a plan demonstrating that the proposed development would be located outside these constraints. An amended block plan was subsequently submitted, confirming that both the building and all associated construction

activity would be positioned clear of the RPAs. The revised plans provide a 12-metre setback from the woodland boundary, ensuring the development remains approximately 3 metres outside the calculated RPA of the protected trees.

Following receipt of this information, KC Trees confirmed they had no objection to the proposal. A condition to ensure this area is adhered to as a root protection area is recommended.

In summary, having regard to the submitted detail and response of the Council's Tree Officer, subject to condition the proposed development is considered to comply with the requirements of policy LP33 of the Kirklees Local Plan and policies within Chapter 15 of the NPPF.

6. Representations

No representations received.

7. Conclusion

This application for the erection of an agricultural building at Carter Plantation Farm 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 is therefore recommended for approval.

Recommendation

Approve

Decision Authorisation - Delegated Powers

Application Number: 2026/91078

Officer Recommendation: Approve

Conditions and Reasons

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.

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 and LP54 of the Kirklees Local Plan and the aims of the National Planning Policy Framework.

3. The agricultural building hereby approved shall be faced in low level concrete panels with profiled sheeting of a green colour finish for the external walls and in grey fibre cement sheets for the roof. The materials of construction shall thereafter be retained for the lifetime of the development.

Reason: In the interest of visual amenity and to accord with Policy LP24 of the Kirklees Local Plan and the policies within Chapters 12 and 13 of the National Planning Policy Framework.

4. The building hereby approved shall be used for agricultural purposes only and at no time shall be used for any purpose(s) that do not fall within the definition of agriculture set out in Section 336 of the Town and Country Planning Act 1990 (or any definition which may supersede this in any subsequent Act or Order).

Reason: To clearly define the use approved by this permission in recognition of the assessment undertaken of the appropriateness of this use on Green Belt land, to protect the visual amenity of the area, to protect the amenities of nearby residents and to accord with Policies LP1, LP2, LP24, LP52 and LP54 of the Kirklees Local Plan and policies contained within Chapters 12, 13 and 15 of the National Planning Policy Framework.

5. No external artificial lighting shall be erected within the site, unless and until details of size, location, orientation, lighting level and any associated fixing apparatus have first been submitted to and agreed in writing by the Local Planning Authority. The submitted scheme shall demonstrate conformance with established guidance document Conservation Trust and Institute of Lighting Professionals (2023) Bats and Artificial Lighting at Night. The submitted scheme shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. No external artificial lighting shall be erected within the site other than that which has been approved by this condition which shall be retained thereafter.

Reason: In the interests of visual amenity and biodiversity and in accordance with Policies LP24 & LP30 of the Kirklees Local Plan and policies within Chapters 12 and 15 of the National Planning Policy Framework.

6. No works shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP 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)
- 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 shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: In the interests of biodiversity and in accordance with LP30 and policies within Chapter 15 of the National Planning Policy Framework.

7. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- a) a non-technical summary;
- a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- b) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 10 years from the completion of development; and
- d) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority

has been submitted to, and approved in writing by, the Local Planning Authority.

Notice in writing shall be given to the Council when the:

- i. HMMP has been implemented; and
- i. habitat creation and enhancement work as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Monitoring reports shall be submitted to Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in the interests of biodiversity and in accordance with LP30 and policies within Chapter 15 of the National Planning Policy Framework

8. A Hedgerow and Tree Protection Plan detailing measures for the protection of trees and hedgerows during the works shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of works on site. The submitted Hedgerow and Tree Protection Plan shall include details of site clearance and delivery of materials, storage areas for materials and heavy machinery, hedgerow and tree protection measures and details of temporary fencing for the protection of hedgerows in accordance with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations. The Hedgerow and Tree Protection Plan shall also detail how root protection fencing will define an exclusion zone around hedgerows and trees whereby there shall be no works, storage or any other access to this area during the construction phase of the development. The works exclusion zone shall demonstrate inclusion of the area shaded green upon submitted drawing 25/1208/03b. Activities liable to be harmful to hedgerows and trees are prohibited within this exclusion zone. The approved Hedgerow and Tree Protection Plan will remain in place until the completion of development.

Reason: In the interests of biodiversity and in accordance with LP30 and policies within Chapter 15 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	25/1208/01a	-	22/04/2026
Existing Block Plan	25/1208/02a	-	22/04/2026
Proposed Block Plan	25/1208/03b	-	19/05/2026
Proposed Agricultural Building Plans + Elevations	25/1208/04a	-	22/04/2026
Preliminary Ecological Appraisal	-	-	02/05/2026
Condition Sheet: Grassland Habitat Type	-	-	22/04/2026
Arboricultural consultation response email	-	-	19/05/2026
Biodiversity Net Gain Assessment	-	-	22/04/2026
Application form	-	-	22/04/2026
Design and Access / Planning Supporting Statement	25/1208	-	22/04/2026
Climate Change Statement	-	-	22/04/2026

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 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. An amended proposed block plan was received in relation to tree protection.

