

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:	2026/70/91107/E
Site Address:	Woolrow Farm, Roydhouse, Shelley, Huddersfield, HD8 8LR
Description:	Variation of condition 2 (plans) on previous permission 2023/93540 for erection of single storey steel frame agricultural building
Recommending Officer:	Danielle Cooper

DECISION – Variation of Condition - 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.**

Kirsty Nicholls

AUTHORISED OFFICER

Date: 27-Jul-2026

Officer Report

Site Description

Woolrow Farm is a hilltop dairy farm in Shelley. The site is centred around the main farm building group which is an operating farm with agricultural buildings and the main farmhouse. The application relates to an area of the farm towards the north-east of the site. There are residential properties by the site entrance, at the Drinker Lane junction. Agricultural fields surround the site to the east, south and west. The application site is situated in designated Green Belt.

Description of Proposal

Planning permission is sought for the variation of condition 2 (plans) on previous permission 2023/93540 for erection of single storey steel frame agricultural building

Condition 2 of previous permission 2023/93540 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 to ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.'

The depth of the approved building has been increased from 11.64m to 15m. The location of the building has also been altered moving it closer to the existing birthing unit, having a separation distance of 5m.

The materials, height and width of the building shall remain the same as approved.

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.

No negotiations/amendments sought.

Relevant Planning History

2025/90183 - Erection of extension to existing single storey steel frame agricultural building – Granted

2023/93540 - Erection of single storey steel frame agricultural building - Granted

2023/93529 - Erection of extension to existing single storey steel frame agricultural building – Granted

2020/93855 - Erection of single storey agricultural building and staff car parking – full permission granted.

Representations

Final publicity date Expires:

The application was readvertised by site notice and the press due to the proposal constituting a major development as a result on the floor increase to 1250m².

Final expiry date for the publicity was the 24th July 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 green belt land.

Kirklees Local Plan Policies

- LP 1 – Achieving sustainable development
- LP 2 – Place shaping

- LP 24 – Design
- LP 54 – Buildings for agriculture and forestry

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 20th December 2023, and 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 16 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.

- Chapter 12 – Achieving well-designed places
- Chapter 13 – Protecting Green Belt land
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Assessment

The following matters that will be considered as part of the assessment of the proposal are set below:

- 1) Principle of development (Green Belt)
- 2) Impact on visual amenity
- 3) Impact on residential amenity
- 4) Impact on highway safety
- 5) Representations
- 6) Conclusion

1. Principle of Development

In terms of Green Belt, Chapter 13 of the NPPF is relevant which sets out that *“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.”*

With regards to development within the Green Belt paragraphs 154 and 155 are relevant which set out types of the development that can form exceptions to inappropriate development or are not inappropriate. One exception is the erection of buildings for agriculture and forestry.

Woolrow Farm is a functional dairy and cattle farm, therefore Policy LP54 is relevant within the assessment, within which building for agriculture within the Green Belt are normally acceptable provided that;

- A) The building is genuinely required for the purpose of agriculture.*
- A) The building can be sited in close association with other existing agricultural buildings.*
- B) There will be no detriment to the amenity of nearby residents by reason of noise or odour or any other reason.*
- 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 depth of the approved building has been increased from 11.64m to 15m. The location of the building has also been altered moving it closer to the existing birthing unit, having a separation distance of 5m.

The principle of an agricultural building within the green belt has already been established under application 2023/93540. The increase in depth of the building by 3.36m and relocation closer to the existing birthing unit is not considered to alter the principle of development being acceptable within the green belt given that the use of the building shall remain the same.

The materials, height and width of the building shall remain the same as approved.

1. Impact on Visual Amenity

The proposal is for the erection of a large agricultural building within the Green Belt. With regard to design and amenity Policy LP24 is relevant which seeks good quality design that is appropriate to its context.

This application is to vary condition 2 (plans) on the previously approved scheme 2023/93540.

The proposed amendments include increasing the building's depth by 3.36 m and repositioning it so that it sits closer to the existing birthing unit, resulting in a separation distance of 5 m. The additional scale is considered modest, and

the building's relocation, bringing it nearer to the established agricultural structures on site, is not expected to give rise to any adverse effects on the character or openness of the Green Belt.

The materials, height and width of the building shall remain the same as approved.

As such, it is considered, that the proposed development would not result in harm to residential amenity. The proposal therefore complies with Policy LP24 of the Kirklees Local Plan.

2. Impact on Residential Amenity

Section B and C of LP24 states that alterations to existing buildings should: *"...maintain appropriate distances between buildings"* and *"...minimise impact on residential amenity of future and neighbouring occupiers."*

The agricultural unit will retain a distance of ~180.00m from the nearest residential house. Given the sufficient separation distance, there are no concerns to the increase and relocation of the building.

For these reasons, the proposed development is not considered to cause undue harm to the residential amenities of neighbouring properties. It is therefore considered that the proposed development complies with Chapter 12 of the NPPF, and Policy LP24 of the Kirklees Local Plan.

3. Impact on Highway Safety

Policies LP21 and LP22 of the Kirklees Local Plan relate to access and highway safety and are considered to be relevant to the consideration of this application. The Woolrow Farm is an operational farm, the proposal will not lead to a detrimental increase in traffic, given the use of the unit does not depart from the dairy and cattle farm use, as such there will not be a detrimental increase in traffic.

Therefore, it is concluded that the scheme appropriately accords with Chapter 9 of the NPPF and Policies LP21 and LP22 of the Kirklees Local Plan.

4. Representations

None.

5. 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 2023/93540:

1. The development hereby permitted shall be begun by ~~the date of this permission~~ 25-JAN-2027.

This condition is recommended to be amended to align with the date of the original permission.

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.

7 – Conclusion:

This application for variation of condition 2 (plans) on previous permission 2023/93540 for erection of single storey steel frame agricultural building at Woolrow Farm, Roydhouse, Drinker Lane, Shelley, Huddersfield, HD8 8LR 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.

Decision Authorisation – Delegated Powers

Application Number: 2026/91107

Officer Recommendation: Approve

Conditions and Reasons:

1. The development hereby permitted shall be begun before 25 January 2027.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

1. 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 ensure the satisfactory appearance of the development on completion, and to accord with Policy LP24 of the Kirklees Local Plan, and the aims of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Site Location Plan	A10	1	30/11/2023
Site Plan as Proposed	A02	A	22/04/2026
Building Plan as Proposed	A03	A	22/04/2026
Elevations as Proposed	A04	A	22/04/2026
Design and Access Statement	DAS	1	30/11/2023
CMRA	CMRA	1	30/11/2023

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 preapplication 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 sought as the application was deemed acceptable as submitted.

Report Dated: 28/05/2026