

Robert Halstead

Chartered Surveyors & Town Planners

N.C. Willock MRICS MRTPI

Office G of H, Bridge Mills, Huddersfield Road, Holmfirth, HD9 3TW

Tel: 01484 686322 e mail: nick@roberthalstead.co.uk

Planning Development

Planning Statement - Hardingley Farm, Copley Lane, Shelley, HD8 8LZ

Partial demolition of existing buildings and extensions. Extension and reconfiguration of 2 no. Existing dwellings and erection of 2 no. detached garages. Conversion and change of use of agricultural barn to form 1 no. dwelling. Erection of 2 no. new dwellings. Reconfiguration of existing internal roads and installation of new internal roads together with parking and landscaping provision.

Background and pre-application engagement

The proposals seek to regenerate and partially redevelop an existing farm complex in order to transform it from two dwellings to five.

In accordance with NPPF paragraphs 40 to 43¹, and his agent entered into pre-application discussions with the council earlier this year. Following positive feedback arising from this, it was established on a without prejudice basis that because the site forms part of an existing, contained cluster of development, the proposed dwellings would be unlikely to be considered to encroach into the countryside, and also unlikely to conflict with Green Belt purposes set out in paragraph 143 of the NPPF

However following feedback from the Highways department, the original proposal for six dwellings (two existing / four new) has now been reduced to five in total.

The following sections of the report will address all relevant local and national planning considerations.

Site Description

The site is located to the west of Copley Lane, Shelley and comprises residential buildings (two dwellings – Hardingley Farm and Hardingley Farmhouse), traditional agricultural & stable buildings, together with more modern portal framed agricultural buildings of various sizes.

Access to the site is via a private drive from Copley Lane, which also serves as a public footpath up to a point before it heads south-west across the fields.

¹ Pre-application engagement and frontloading

The site is surrounded by 20 acres of land and there are no other properties within close proximity, and is located approximately 1 mile from Shelley to the north and 1 mile from Shepley to the west.

Planning History

99/91808 – Erection of extension – Conditional Full Permission

99/93198 – Agricultural notification for the prior approval of details for the erection of agricultural building – Details Approved



Overhead view of buildings complex c/o Simon Blyths Estate Agents

Potential Site Constraints

In terms of the main planning related constraints, the following facts are confirmed through desk top research:

- A) Flood risk (none)
- B) Protected trees (none)
- C) Coal mining legacy (does not affect the existing or proposed development area but does cover some of the driveway near the main road, but which is unaffected by the proposals)
- D) Heritage records (none).
- E) Public Rights of Way – a footpath runs up the drive and then heads across fields away from the development. This would be unaffected by the development (see further details below).

Policy Designation

The application site is located within the Green Belt as designated on the Kirklees Local Plan Map.

The Proposals

With reference to the enclosed plans, the proposals involve the redevelopment of the site to form a residential development comprising the refurbishment and reconfiguration of two existing dwellings and the formation of three additional dwellings (two new build and one barn conversion). The proposed development would incorporate the following works in detail:

- Demolition of a number of portal framed buildings as detailed on the submitted Demolition Plan.
- Renovation and extension (replacement of extensions at both ends) of the two existing dwellings and conversion of the adjacent annex building to form Plots 1 and 2.
- Conversion and extension of the stone barn to form one dwelling with integral garage (Plots 3).
- Demolition of the large portal framed agricultural building and the erection of a new dwelling with integral garage (Plot 4).
- Erection of new dwelling with integral garage (Plot 5). Re-using part of the former garden of Hardingly Farm.
- Erection of two detached garages for Plots 1 and 2.
- Part closing off and soft landscaping of existing looped access around the south and west of the site, and formation of additional access track to the north of the buildings complex, including turning and parking areas.
- Formation of new outdoor amenity spaces / garden areas.

With reference to the submitted Materials Schedule, all alterations and extensions to existing buildings would be constructed with reclaimed coursed natural stone, with new build plots being constructed of course natural stone. Natural stone slates from the demolished buildings will be re-used for Plots 1 to 3, with a metal standing seam roof proposed for the Plot 3 extension.

For Plot 4, some elements of the walling would be faced in charred timber and the roofing would be a combination of grey slates and metal standing seam.



Proposed layout plan courtesy of Heneghan Architectural Ltd

New boundary treatments would comprise 1.2m high drystone walls as shown on the Materials Schedule and proposed layout plan, while boundaries between plot rear gardens are proposed to be timber fences with trellis over – 1.8m total height. The access track and driveways would use resin bound gravel.

Each plot would have a garage which, combined with off-street parking areas, would provide a minimum of three parking spaces per plot.

Assessment of the Proposals

Principle of Development – Grey Belt / Green Belt Policy

The case for the proposals is argued on two grounds –

1) Part of the development would involve the conversion, extension and alteration of existing buildings to form three dwellings (two existing dwellings, one new dwelling) and this is therefore assessed under ‘traditional’ Green Belt policies – i.e. Plots 1 and 2 (Hardingley Farm and Hardingley Farm Cottage) – Policy LP57 and NPPF Paragraph 154 (c) (extensions), and Plot 3 (the stone barn) Policies LP57 & LP60 and NPPF Paragraph 154 (c) (extensions) and (h) (iv) (re-use of buildings of permanent construction).

2) The remainder of the development, which involves the demolition of existing buildings, the erection of two new dwellings, the erection of three detached garages, the formation of a new access road, turning and parking areas, and the formation of garden areas, would be assessed under Grey Belt policy.

As an alternative way of assessing this case, Grey Belt principles could be applied to the development as a whole.

1) Green Belt Policy

Paragraph 154 in the NPPF states:

‘Development in the Green Belt is inappropriate unless one of the following exceptions applies:

c) the extension and alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

h) other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are: iv. the re-use of buildings provided that the buildings are of permanent and substantial construction.’

Local Plan Policy LP57 states:

‘Proposals for the extension, alteration or replacement of buildings in the Green Belt will normally be acceptable provided that:

a. In the case of extensions, the original building remains the dominant element both in terms of size and overall appearance. The cumulative impact of previous extensions and of other associated buildings will be taken into account. Proposals to extend buildings which have already been extended should have regard to the scale and character of the original part of the building;

c. The proposal does not result in a greater impact on openness in terms of the treatment of outdoor areas, including hard standings, curtilages and enclosures and means of access; and

d. 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.'

Local Plan Policy LP60 also states:

'Proposals for the conversion or re-use of buildings in the Green Belt will normally be acceptable where;

a. The building to be re-used or converted is of a permanent and substantial construction;

b. The resultant scheme does not introduce incongruous domestic or urban characteristics into the landscape, including through the treatment of outside areas such as means of access and car parking, curtilages and other enclosures and ancillary or curtilage buildings;

c. The design and materials to be used, including boundary and surface treatments are of a high quality and appropriate to their setting and the activity can be accommodated without detriment to landscape quality, residential amenity or highway safety.'

The proposals involve the conversion, extension and alteration of some of the existing buildings (including the two existing dwellings, the annex, and a traditional stone barn), which are all of permanent and substantial construction, to form three dwellings (Plots 1-3).

Plot 1 would comprise an existing residential dwelling, the conversion of an existing ancillary residential building immediately to the north to provide an extension (with a glazed link between the two buildings). A detached single garage would also be included for this plot. A small modern porch would be removed from the existing eastern gable end.

The glazed link would be small in scale and would not therefore result in a disproportionate addition over and above the size of the original buildings which would remain dominant in terms of size and overall appearance (in compliance with NPPF Para 154(c) and Local Plan Policy LP57). As the link extension would be glazed, the extension would be unobtrusive and would not detract from its Green Belt setting.

Plot 2 is also currently an existing dwelling. The proposals for this plot would involve some minor alterations and the replacement of existing single storey extension with a relatively modest two storey extension. A detached double garage is also proposed. A section of the building between the dwelling and the existing barn to the north is however proposed to be demolished. As a result of the various additions and areas of demolition, the proposals associated with this plot would not result in a disproportionate addition over and above the size of the original building.

Plot 3 involves the conversion, extension and alteration of an existing traditional stone barn of permanent and substantial construction, thereby being in accordance with NPPF Para 154 (h) and Local Plan Policy LP60. A rear two-storey extension and an integral side garage are proposed, but again, these would be proportionate to the scale of the original building in line with NPPF Para 154(c) and Local Plan Policy LP57. The design and materials would be in keeping with the character and appearance of the existing buildings and local context. The conversion and alterations to the building are also intended to be sympathetic in nature, to ensure the resultant dwellings do not detract from their Green Belt setting.

In terms of outdoor areas, the existing area of hardstanding to the west of plots 2-3 would be replaced with private gardens in association with these plots. The main garden area for Plot 1 would be located on land which is currently occupied by hardstanding or built development.

New boundary treatments would comprise 1.2m high drystone walls as shown on the Materials Schedule and Proposed Layout Plan, while boundaries between plot rear gardens are proposed to be timber fences with trellis over – 1.8m total height. The access track and driveways would use resin bound gravel.



1948 OS Map – reproduced on licence

It should also be noted that in connection with the existing horse stables, NPPG Paragraph 154 g now allows for the redevelopment of brownfield sites providing the impact of openness does not cause substantial harm. Again, as a fallback or alternative policy proposition to the Grey Belt policy position outlined below, redeveloping existing stables buildings and replacing them with Plot 5, arguably does not have a 'substantial' impact on Green Belt openness, acknowledging that the policy now permits 'moderate' to 'less than substantial' harm to openness.

Finally, as a further fallback position, Class Q permitted development rights are available for the conversion of agricultural buildings and it is noted the portal framed buildings on site are in very good condition.

In addition, given Grey Belt policies outlined below do not have a test for impact on openness, the ancillary changes necessary to accommodate the overall development could alternatively be assessed under Grey Belt policy.

Plots 1 to 3 of proposed development are therefore considered to be appropriate development in the Green Belt in principle under 'pre-Grey Belt' policies, in accordance with Paragraph 154 in the NPPF, and Local Plan Policies 57 and 60.

2) Grey Belt

The proposed development of Plots 4 and 5 are required to be assessed under NPPF Paragraph 155 (Grey Belt), however as stated above, the whole development can be assessed on Grey Belt grounds (for instance the barn at Plot 3 could ordinarily be replaced under Grey Belt policy, but it is preferable in terms of other planning considerations in this instance to re-use and adapt this traditional stone barn).

The starting point with any Grey Belt assessment is the NPPF glossary definition which states:

'For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b) or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.'

Addressing each of the relevant coloured points in turn:

- a) *'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land*

The site is a part residential, part stables and part former agricultural site and is therefore classed as part previously developed (brownfield) land and part greenfield land, so complies with this part of the glossary definition, as "previously developed land and/or any other land"

- b) *that, in either case, does not strongly contribute to any of purposes (a), (b) or (d) in paragraph 143*

Paragraph 143 in the NPPF states:

'Green Belt serves five purposes:

- a) To check the unrestricted sprawl of large built-up areas;*
- b) To prevent neighbouring towns merging into one another;*
- c) To assist in safeguarding the countryside from encroachment;*
- d) To preserve the setting and special character of historic towns; and*
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'*

Government Guidance 'Green Belt' provides categories of assessment for assessing these purposes and sets out categories: strong, moderate, and weak or none. ²

Sites that make a weak or moderate contributions to purposes a, b and d are therefore acceptable (i.e. those that do not 'strongly contribute' to the relevant purposes).

² Government Guidance 'Green Belt' Paragraph 005.

Referring to Purpose a), the application site is not adjacent to a large built-up area ³ and therefore makes a 'weak or none' contribution as per the Green Belt Government guidance at Paragraph 005 – i.e. Purpose a) is not engaged by this proposal.

Shelley and Shepley which are closer to the application site (approx. 1 mile away) are villages and are not 'large built-up areas.' Government Guidance 'Green Belt' states that in assessing Purpose a), "Villages should not be considered to be large built-up areas." ⁴

Referring to Purpose b), the application site also makes a 'weak or none' contribution as it does not form a gap between towns (again as per the assessment criteria at Paragraph 005 of the Guidance). Again, it is asserted that Purpose b) is not engaged by the current proposals. Similarly, the application site does not "form part of the setting of a historic town" (as per the Guidance wording) and therefore makes no contribution to Purpose d).

- c) *'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.'*

In terms of footnote 7, the application site is not located within (and does not affect) any of the following relevant areas / assets listed:

- Habitat sites (and those sites listed in paragraph 189) and/or designated as Sites of Special Scientific Interest
- Local Green Space
- A National Landscape
- A National Park (or within the Broads Authority)
- Heritage Coast
- Irreplaceable habitats
- Designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75)
- Areas at risk of flooding or coastal change

It is therefore concluded that the site falls within the definition of Grey Belt.

Turning then to Paragraph 155 in the NPPF:

'The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*
- b. There is a demonstrable unmet need for the type of development proposed;*
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
- d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157.'*

³ The nearest large built-up areas are Holmfirth or Huddersfield which are over 5 miles away

⁴ Paragraph 005

Referring to **155(a)**, this requires an assessment of the two remaining purposes (i.e. the remaining purposes not covered within the NPPF Glossary definition of Grey Belt):

- c) To assist in safeguarding the countryside from encroachment;
- e) To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'

Importantly, as confirmed by paragraph 155 (a), the assessment must assess the five purposes 'taken together', not individually. In other words, even if a proposal failed on one purpose, the assessment of appropriateness must be made against all five purposes of Green Belt as a whole.

In relation to Purpose C, whilst most of the development involves the re-use and conversion of existing stone buildings, some of the proposed development (Plots 4 & 5) would replace existing buildings to be demolished, resulting in building footprint areas being re-used and re-configured. This includes demolition of large areas of buildings to the north and north-west of the existing dwellings.

The overall site is justified as Grey Belt based on the vast majority constituting existing buildings, hardstanding, and existing curtilage areas. Other than the new curved element of the access track at the northern side of the existing complex, the proposed development is contained within these previously developed areas.

The footprint and scale of the new development would result in a significant reduction in floorspace and the existing buildings on the site (see enclosed Area Schedule – 1140 sq.m reduced to 779 sq.m: a 32% reduction).

In terms of the new build dwellings Plots 4 and 5, Plot 4 would occupy the site of the former agricultural building, and as this would be contained entirely within the area of the existing building and hardstanding, there would be no encroachment into the countryside. Indeed, no objections were raised at the pre-application stage in relation to this plot (and whilst its footprint shape has changed slightly since the pre-application stage, its size has not).

Plot 5 (formerly Plot 6 at the pre-application stage), does extend the existing cluster of buildings to some extent, however the pre-application feedback was that on balance, this was acceptable.

The justification for this Plot in relation to Purposes C is as follows:

- 1) It was accepted at the pre-application stage that the overall site may be classified as Grey Belt, and this is confirmed as detailed in relation to the above assessment re: the NPPF glossary definition. There is no additional test for openness as a result (see below).
- 2) Plot 5 occupies former domestic curtilage land of Hardingley Farm and so the Plot does not encroach into 'untouched' wider countryside.
- 3) The overall development footprint would reduce the total footprint of the existing buildings significantly, thereby helping to offset the site's contribution to Purpose C as a whole.
- 4) The Plot remains in the same position as per the pre-application discussions (whereby it was said to be on balance, supportable), with just the addition of a single storey sun lounge extension on the east elevation.

Finally in relation to Green Belt Purpose C, whilst a new access road is proposed along the northern boundary, the existing area of hardstanding to the west of the existing buildings would be largely converted to greenspace in the form of garden areas, which would improve the transitional relationship between the site and the wider Green Belt compared with the current situation. More land is therefore being restored to soft landscaping than is being proposed as new hard landscaping.

The proposal site as a whole (including for Plot 5) is not therefore considered to make a 'strong' contribution to Purpose C of Paragraph 143.

This contrasts with a considerable number of appeals (including major developments) that have been allowed nationwide on *wholly greenfield* sites containing no existing development, or on sites where encroachment into the countryside has been considerably greater. Indeed, within a recent appeal for 400+ homes on wholly greenfield land ⁵, the Inspector stated at Paragraph 153:

"I have found that the appeal site comprises other land that does not strongly contribute to purposes (a), (b), or (d). Even though there is moderate harm to purpose (c), the evidence before this Inquiry does not indicate that the appeal site has a wider strategic role in the functioning of the Borough's Green Belt as a whole. Therefore, in utilising 'Grey Belt' land, the appeal proposal would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the Borough's development plan. This is in line with paragraph 155 (a) of the Framework."

It is also important to note from Paragraph 014 of the Government's Guidance 'Green Belt' that:

...if development is considered to be not inappropriate development on previously development land or grey belt land, then it is excluded from the policy requirement to give substantial weight to any harm to the Green Belt, including to its openness.

This is consistent with rulings from the courts on these matters that, where development (of any kind, now including development on grey belt or previously developed land) is not considered to be inappropriate in the Green Belt, it follows that the test of impacts to openness or to Green Belt purposes are addressed ⁶and that therefore a proposal does not have to be justified by "very special circumstances".

The application site is not located within an urban area and therefore Purpose E of paragraph 143 (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land) is not engaged in this case.

The proposals also comply with Green Belt Purposes A, B and D as discussed above.

In summary therefore on Paragraph **155(a)**, taken together as the policy requires, **the proposals would not fundamentally undermine the purposes of the remaining Green Belt across the area of the plan.**

Referring to **155b**, the proposed development is for six dwellings and as explained in Footnote 56 in the NPPF, the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years, is considered to be a demonstrable unmet need for housing.

The confirmed position for Kirklees Council is that there is no longer a five-year supply of specific deliverable sites. Housing delivery in Kirklees has also fallen below 95% of the Local Authority's housing requirement over the previous three years and is at 54%.

The proposed development therefore complies with **155 (b)**.

⁵ Appeal decision ref: APP/A1910/W/24/3345435

⁶ Our emphasis

Regarding 155(c), the application site is located 1 mile away from both Shelley and Shepley which is a 3-minute drive or 20-minute walk via direct footpaths from the application site. Both villages include a First School, a small supermarket / convenience store, a public house (Shepley has two) and a cricket club. Shelley also has a village hall.

Public transport is available to / from Shepley and Shelley, serving nearby areas such as Huddersfield and Denby Dale. Shepley also has a railway station with hourly services to Huddersfield and Sheffield.

The proposal site also provides immediate proximity to a wide and useful network of public footpaths and bridleways, which would encourage walking and cycling.

Paragraph 110 in the NPPF states that “Opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”

Since the Grey Belt policy was introduced, the Council has approved a new dwelling nearby (0.5km away) on Long Moor Lane on the basis of it being in a sustainable location for Green Belt purposes (ref: 2025/91092). This proposal site is better located because not only is it equi-distant to nearby Shelley and Upper Cumberworth, but it is closer and more accessible to Shepley (1km along the good quality footpath and bridleway network by foot or cycle).

Shepley has a number of facilities including grocery stores, cafes, pubs, doctors, pharmacy, J & I school, together with excellent public transport links (a train station for routes to Huddersfield or Sheffield, and regular buses such as the hourly X1 service between Holmfirth and Wakefield; and the hourly D2/D3 service between Huddersfield and Denby Dale).

A recent appeal decision ⁷ for two detached dwellings also concluded the location was sustainable for the purposes of Paragraph 155, stating at Paragraph 29: “Future occupants would therefore be dependent on use of a private car to meet their day-to-day needs. However, paragraph 110 of the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.”

Overall, the proposals are therefore considered to comply with point **155c**.

Paragraph 155d relates to major planning applications, and it is therefore not applicable in this case.

The proposed development is therefore considered to be appropriate development in the Green Belt in principle, in accordance with Paragraph 155 in the NPPF.

Principle of Development - Housing Supply and Delivery

Paragraph 61 in the NPPF states, *‘To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.’*

⁷ Appeal Decision APP/M3645/W/24/3347328

Nationally, the new Government ⁸ has acknowledged the housing crisis with the immediate decision to re-introduce compulsory house targets and the “urgent steps” pledge to build 1.5 million homes within this parliamentary term.

Paragraph 73 in the NPPF goes on to state that, *‘Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built-out relatively quickly.’*

The confirmed position for Kirklees Council ⁹ is that there is no longer a five-year supply of specific deliverable sites. As such, the delivery of this *windfall site* ¹⁰ will help contribute towards the projected windfall target in the Local Plan period. Furthermore, recent annual dwelling completion totals within the borough have been heavily reliant on windfall sites.

In addition to the confirmed inadequate housing supply position, housing delivery in Kirklees has also fallen below 95%.

Design and Visual Amenity

Local Plan Policy LP24 states:

‘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.’

Paragraph 135 in the NPPF sets out various design objectives, including the need to ensure developments will function well and add to the overall quality of an area, are visually attractive, are sympathetic to local character and establish or maintain a strong sense of place.

Plots 1 and 2 (retain, extend and adapt 2 x existing dwellings)

The uPVC porch would be removed from the eastern gable end of Plot 1. Minor fenestration changes would be made (e.g. installation of small first floor window above left-hand door on South elevation; rebuilding, enlarging and slightly raising the stone archway on the Northern elevation of the annex building to Plot 1, in order to achieve a better internal design because of floor levels; and new rooflights x 2 on rear roof, and an entrance with canopy on the right hand end of the north elevation).

Further works would involve demolishing the existing section of building between this dwelling and the stone barn, and replacing an existing single-storey extension on Plot 2 with a two storey extension set in from the front elevation of the main dwelling.

Finally, a simple glazed link is proposed between the original farmhouse and the annex building, in order to provide a suitable link between these buildings in order to form Plot 1. A flat roofed extension on the Western elevation of this annex building it to be demolished.

⁸ Government News Story “Chancellor unveils a new era for economic growth 8th July 2024”

⁹ Kirklees Housing Position Statement to Boost Supply February 2024

¹⁰ NPPF Paragraph 73 (d) “To promote the development of a good mix of sites local planning authorities should....support the development of windfall sites through their policies and decisions...

All these works are proposed to be sympathetic to the original character and appearance of the dwellings (and indeed the insertion / modification of new openings on existing dwellings would constitute 'permitted development' anyway).

Plot 3 (barn conversion and extension).

The conversion works would be sympathetic to the original character and appearance of this traditional stone barn. The front elevation (East) would re-use existing openings whilst a limited number of new openings would be of a simple geometric style, in keeping with the types of openings found on these barns. Rooflights would be 'Conservation' style.

The integral garage would be single-storey and constructed of matching walling and roofing materials, while the proposed dual-pitched roof two storey extension and single storey glazed extensions to the rear, would provide a contemporary interpretation of the traditional barn design ethic, introducing more glazing but of a style that is suitably in keeping with the original character and appearance of this building.

Plots 4 & 5 and detached garages (new build)

Both these plots would be constructed of materials both in keeping with the existing stone buildings across the site (natural stone and natural slates of two types), while modern materials would also be introduced to support the contemporary style - such as charred timber and metal standing seam roof elements on Plot 4.

Plot 5, which would be readily seen in the context of the existing cottages when approaching the site along the access way, would be of a traditional 'cottage' designed mullion windows, stone quoins, a chimney, stone heads and sills, and stone gutter corbels. The two storey height and traditional proportions of this Plot would also be in keeping with the existing dwellings on the site. The single-storey sun lounge extension on the eastern elevation would be constructed of a mix of stone and Oak timber, and again would be in keeping with the traditional character and appearance of this Plot.

In contrast, Plot 4 would be located to the rear of the existing farm complex, and in replacing a large modern portal framed agricultural building, there has been an opportunity to design something new in the form of a high quality contemporary building based on a traditional agricultural barn typology.

The proposed dwelling would be constructed using natural coursed stone walling, 'burnt' vertical timber cladding with a traditional gable roof. The style, shape and size of the proposed window and door openings also reflect the contemporary 'barn' design, and would also ensure good levels of daylight for future occupants. The proposed recessed balcony to the rear would maintain the 'slab' character and appearance of the building as a contemporary interpretation of a barn (as opposed to being projecting balconies).

The massing of the building is broken up by the use of differing ridge and eaves heights, together with subservient projecting elements and the use of different materials such as 'burnt' timber.

The Housebuilders Design Guide SPD also sets out what the Council considers to be high-quality residential design through a number of principles. The relevant Principles in relation to this application in terms of design and visual amenity are as follows (with responses attached to each Principle):

Principle 2: Respect and enhance the local character of the area. As detailed above, the design aims to fully respect and enhance the local character of the area in terms of design, materials, height, shape,

form and architectural details. The plots would also sit comfortably with one another across the site, whilst the physical/visual gap to Plot 4 provides the opportunity for different/contemporary style of design and scale.

The proposals will also replace somewhat utilitarian former agricultural building, with a high quality development that will help comprehensively redevelop and positively transform this former farm site.

Principle 13: Materials. The development largely utilises locally prevalent materials as detailed above. The introduction of some more modern, contrasting materials will help support the intended 'contemporary barn' design ethic for Plot 4.

New boundary treatments would comprise 1.2m high drystone walls as shown on the Materials Schedule and proposed layout plan, while boundaries between plot rear gardens are proposed to be timber fences with trellis over – 1.8m total height. The access track and driveways would use resin bound gravel. These materials are considered to be sympathetic to the traditional rural nature of the site and its surroundings.

Principle 14: Windows and doors. The use of a mixture of traditional and contemporary windows and doors (materials and colours to be agreed – see Materials Schedule for a flavour of this) will enhance the design and appearance of the plots, in keeping with existing properties on this former farm complex as well as providing new contemporary design elements.

Principle 15: Rooflines. The simple gable roof styles are entirely in keeping with traditional roof forms of existing buildings on this site and in the surrounding area.

The proposed development is therefore considered to be acceptable with regard to design and visual amenity and complies with Local Plan Policy LP24, paragraph 135 in the NPPF, and Principles 2, 13, 14 & 15 of the Housebuilders Design Guide SPD.

Finally, the proposed development is considered to accord with Policy LP32 (Landscape) in that the development seeks to re-use the best of the existing farm buildings, with new build elements being sympathetic in character and appearance to these, thereby improving the appearance of the overall site and respecting the wider landscape setting which comprises woodland, agricultural fields and traditional field boundaries.

Residential Amenity and Space Standards

Local Plan Policy LP24 states:

'Proposals should promote good design by ensuring: b. they provide a high standard of amenity for future and neighbouring occupiers.'

This is echoed in paragraph 135 f) in the NPPF. The relevant principles in the Housebuilders Design Guide in relation to residential amenity are as follows:

Principle 6: Maintaining high standards of residential amenity. The position, orientation and separation distances of the various plots would be policy compliant.

For instance, whilst Plot 5 faces Plot 1 (the existing Hardingley Farm), this is at an oblique angle and the redesign of Plot 1 internally will result in the nearest windows being occupied by non-habitable rooms (see Plot 1 proposed internal layout).

Plot 3 would be perpendicular to Plot 2 and the demolition of the link between the two existing buildings would see blank walls facing blank walls.

The only other separation distances to consider therefore relate to those between Plots 4 and 3. The closest part of Plot 4 would be the projecting gable element, with its bedroom window at first floor level. Nevertheless, the northern end of the West elevation of Plot 3 would contain non-habitable room windows. The nearest windows as shown on the drawing extract below would be that of a master bedroom at first floor level (the ground floor being a kitchen). As illustrated by the drawing below, the separation distance between these bedroom windows would fall 25 cm short of the normal 21 m standard, which given the oblique angle of these windows, is considered to be acceptable in this instance.



Plot 4 to Plot 3 relationship

As can be seen from the proposed layout plan, the new dwellings would also not cause any issues with regard to overshadowing or loss of light for other plots.

Principle 16: Internal Space Standards. The three new dwellings would provide adequate storage in accordance with the nationally described space standards, and other storage is also likely to be available elsewhere within the dwelling. The overall sizes of the new dwellings also exceed the nationally prescribed floorspace standard required for a four and five bedroomed house.

Principle 17: Outdoor space. The proposed development would result in high levels of amenity for future occupants in relation to outdoor amenity space, providing generous garden / amenity areas, all within the existing / former farm complex curtilage areas.

The proposed development is therefore considered to be acceptable in relation to residential amenity and complies with Local Plan Policy LP24, paragraphs 135 f) and 198 in the NPPF and Principles 6, 16 and 17 in the Housebuilders Design Guide.

Highway Safety and Waste Management

Local Plan Policy LP21 states:

‘New development will normally be permitted where safe and suitable access to the site can be achieved for all people and where the residual cumulative impacts of the development are not severe.’

Access to the proposed development would be from the existing access road from Copley Lane – a 30mph zone. Visibility splays of 2.4m x 43m can be achieved in both directions to allow for safe egress from the site for all vehicles. The turning areas to be provided within the site would allow vehicles to manoeuvre easily and safely and would enable all residents’ vehicles to enter and leave the site in a forward gear.

The existing drive contains one passing place. This is considered to be sufficient given that the access road is straight and only 60m in length. In addition, an extension to this access track is proposed to serve Plots 3-6.

In terms of trip rates, it is considered that given the pre-existing situation of there being two dwellings, stables, and a number of agricultural buildings, the addition of three new dwellings would not be considered to materially increase trip rates, and large agricultural / equestrian vehicles would be replaced with normal domestic vehicles.

A minimum of three parking spaces are proposed for each of the Plots comprising a mix of garages and parking bays. The amount of parking provision is therefore considered to be suitable for the scale of development proposed and accords with the Kirklees Highways Design Guide.

Bin storage, containing a mix of domestic and recycling bins, would be provided for each of the Plots and situated in close proximity to each dwelling. A bin collection point is proposed adjacent to the site entrance, which will increase provision from the existing two dwellings, whose refuse / recycling is already collected from the entrance on Copley Lane.

The proposed development is therefore considered to be acceptable in respect of highway considerations and accords with Local Policies LP21 and LP22 and the aims of Chapter 9 in the NPPF.

Other Planning Matters

a) Biodiversity Net Gain and Ecology

An Ecological Impact Assessment, Bat Report and BNG assessments accompany the application. The main findings are summarised below.

Through the Ecological Impact Assessment, it is established that existing habitats comprise modified grassland and existing garden areas. The only relevant potential the site has for fauna relates to potential bats and nesting birds utilising the existing buildings.

A preliminary bat roost potential survey found that seven of the buildings had a negligible potential for roosting bats, 3 of the buildings had a low potential for roosting bats and one of the buildings had a moderate potential for roosting bats.

Two dusk emergence surveys were then carried out. Whilst bats were spotted crossing the site and foraging over the central yard area, buildings and trees to the north and east of the site, no bats emerged from any of the buildings.

Nesting Swallows were identified in some of the buildings. Bat roosting opportunities and Swallow nesting opportunities (within the roof spaces of the garages for Plots 1 and 2 as a minimum) are therefore recommended to be conditioned.

In accordance with Local Plan Policy LP30, Principle 9 in the SPD and national planning requirements, Biodiversity Metric Calculations and a Report accompany this planning application.

The on-site baseline score for area habitat units is 0.91. The post-intervention score, achieved through on-site native tree planting (20 specimens) comprising an area of 330 sq.m, would be 1.11 units, thereby representing in excess of the required 10% net gain.

Subject to agreeing suitable conditions, the proposals are considered to comply with Paragraph 170 in the NPPF (Conserving and enhancing the natural environment), Local Plan Policy LP30 (Biodiversity and Geodiversity), and Principle 9 in the Housebuilders SPD.

b) Climate Change

A Climate Change Statement is submitted as part of the application. The following climate change mitigation measures form part of the development proposals:

- Re-using the existing stone barn in order to mitigate the carbon footprint of the development.
- The existing houses will be refurbished to better standards with new insulation more efficient heating systems. Any new extensions to these buildings will be constructed to modern standards and therefore much improved re: energy demand.
- Energy efficient fixtures and fittings.
- Materials and labour to be sourced locally where possible.
- Recycling facilities to be provided on site.
- Introduction of renewable technologies to be explored by the future developer / developers.
- Areas of soft landscaping, permeable paving to minimise surface water run-off.
- Low water usage sanitaryware specified.
- 10% + BNG.

The proposals would therefore have a positive impact on climate change and accord with Local Plan Policies LP24 & LP26, and Principle 18 in the Kirklees Housebuilders Design Guide SPD.

c) Coal Mining Legacy and contaminated Land

A Coal Mining Risk Assessment is not considered to be necessary given that the 'high risk area' encroaches onto the access road only, and which is proposed to remain unchanged as part of these development proposals. No areas of buildings, new access tracks, or domestic curtilage are within any such 'high risk' area.

Given the previous agricultural uses only, it is considered unlikely that any contamination will be present. Nevertheless, a Phase I report accompanies this application and it is considered that suitably worded conditions (if necessary) can be attached to any grant of planning permission to ensure that any further investigation and remediation is completed as necessary.

d) Trees

There are no protected trees on the site and very few immature (unprotected) trees that would represent a constraint to development. The development therefore accords with Local Plan Policy LP33 (Trees).

e) Public Rights of Way

Public footpath KIR/152/10 runs along the existing drive from Copley Lane before entering a field in the south-west corner of the site. The footpath would be unaffected by the proposals given that - as detailed in the highways section above - it is considered there would be no material increase in traffic compared with the existing situation, and large farm / equestrian vehicles would no longer use the access. As such, the development would still allow members of the public to access and use the footpath safely and conveniently, in accordance with NPPF Paragraph 105.

Summary and the Planning Balance

The proposals involve the redevelopment of the existing site (which already contains two existing dwellings) to form a new residential development comprising five dwellings. The development would include demolition of some of the existing (largely modern utilitarian) buildings, together with the conversion, extension and alteration of the traditional stone buildings (thereby maintaining the heritage interest), plus the erection of new buildings to form dwellings and garages; formation of new access track elements, turning and parking areas; and formation of garden areas.

As discussed in the preceding paragraphs of this report, the proposed development is considered to be appropriate development in the Green Belt in accordance with NPPF Paragraph 154 (Green Belt development), Local Plan Policies LP57 and LP60, and NPPF Paragraph 155 (Grey Belt development) in the NPPF (or as a whole – purely in relation to Paragraph 155 Grey Belt).

This Grey Belt case, when considered against other permitted cases across the district and country – including major developments on greenfield sites - is considered to be very much at upper end of acceptability / lower end of harm, being a site containing a number of existing buildings and not encroaching into the wider countryside in any significant way.

The development would also contribute to the borough's housing supply at a time when no five year supply of deliverable sites can be demonstrated by the Council. Specifically, the proposals would support the Government's housing objectives as a small windfall site that it is likely to be delivered relatively quickly.¹¹

Following positive pre-application discussions, the proposals are also considered to be acceptable in respect of highway safety considerations and other relevant planning matters.

It is therefore respectfully requested that planning permission is granted accordingly.

¹¹ NOTE – in the event the plots are sold off individually, the proposals would also contribute to the Government's objectives in relation to self build/custom build housing.

Robert Halstead Chartered Surveyors & Town Planners

May 2026